NOVA SCOTIA

Labour and Advanced Education

2011-06-30

Annual Report

Fiscal Year April 1, 2010 to March 31, 2011

Occupational Health and Safety Division

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Summary and Highlights 2010/11

The highlights of the OHS Division's *("Division")* operations in 2010/11 include:

1. The Division continued to work on present and future OHS issues identified in its 2008/09 strategic planning process in cooperation and consultation with the Advisory Council and the Joint Committee, comprising key staffs from the Nova Scotia Workers' Compensation Board (WCB), Human Resources Skills Development Canada (HRSDC), and the Division.

2. The Division initiated the consolidation of several regulations, including: Fall Protection and Scaffolding, First Aid, Occupational Health, Liquefied Natural Gas and Temporary Workplace Traffic Control. A new "Workplace Health and Safety Regulations" is being sought. Housekeeping changes to the Occupational Safety General Regulations are ongoing and it is anticipated that the full consolidation, including this regulation, will take place over a 3 – 4 year period.

3. Amendments to the Occupational Health and Safety Act were given Royal Assent on December 10, 2010. Bill No. 127 – Occupational Health and Safety Act (amended) resulted in the following amendments:

   a. s. 48 [plain view seizure] was repealed,
   b. s. 67A [Right to appeal] - include the word "decision", clarifying the officers' practice of issuing orders only in the case of s. 46(2)(a) and issuing decisions for s. 46(2)(b),
   c. expanded the definitions of supplier and workplace in keeping with other sections of the Act,
   d. changed the department's name to Labour and Advanced Education",
   e. s. 40(2) - allow for electronic service of documents,
   f. s. 42 - remove "bodily" and replace it with "serious" to be consistent with other sections in the Act,
   h. s. 75 - added authority for the Director to expand the usage of fine monies for approved OHS initiatives, and
   i. s. 82(1)(d) - added authority for standards to be automatically updated (ambulatory incorporation by reference).

4. The Administrative Penalties Regulations were implemented in January 2010 and the Division experienced its first full year of enforcement. Overall, the Division is satisfied that this new regulation is an effective tool to encourage voluntary compliance. As a means to help increase OHS awareness and voluntary compliance, the Division staff delivered more than 60 presentations at various workplaces, industry/association meetings and conferences across Nova Scotia highlighting the regulation and the process undertaken by the

Administrator. *(Note: A detailed statistical report is provided later in this document.)*

5. Staff participated in and delivered province-wide presentations to individual organizations, associations and conferences ranging from general requirements to regulation-specific topics.

6. During the period January 15, 2010 – January 14, 2011, a total of 1169 penalties were issued to workplace parties throughout Nova Scotia.

7. The Division researched a new Internet (e-search) tool to help increase OHS awareness and make access to accurate OHS information more timely and responsive to the needs of our clients and stakeholders. From this effort, "Knowledge Base" was formed and scheduled to launch during NAOSH Week 2011.

8. In December 2010, the Division partnered with the Threads of Life to deliver a construction industry education session at the Westin Hotel, Halifax. This proactive education initiative arose due to incidents of non-compliance in this industry and a desire by Division staff to be appropriately responsive. The session was extremely well received, particularly the presentation that was delivered by the mother of a 20 year old roofer who was killed while at work. Her message resonated exceptionally well with the audience.

9. The Division created two new pamphlets entitled *"OHS Checklist: See It, Assess It, Fix It"* and *"When an Occupational Health and Safety Officer Shows Up at Your Workplace"*. These pamphlets are available to clients on the Division's website, the Knowledge Base site, and provided during inspection activity conducted by officers.

10. Public feedback was sought during this reporting period on proposed amendments to the Temporary Workplace Traffic Control Regulations.

11. The Quality Management System was revitalized in 2010. The Quality Coordinator launched a review of all internal policies, procedures and forms used by the Division and commenced reformatting and updating the documents.

12. The restructuring of the Division (Investigations, Technical and Internal Services section) continued with the hiring of a paralegal, five (5) special investigators, two (2) Information Technology (IT) staffs, a Quality Coordinator / Project Management staff, two (2) administrative staffs, and three (3) managers.

13. Additional projects and initiatives undertaken by the Division included:

    a. Temporary Foreign Workers/HRSDC CIC Data Exchange (Info-sharing with HRSDC and CIC) Project;
    b. "Knowledge Base" Project;

c. Administrative Penalties Regulation Report (One Year in Review);
d. Amanda Redesign Admin Penalty Notice (Unisys);
e. Joint Targeting Project involving OHS Division & WCB focused on high-risk industry sectors (manufacturing and healthcare) and specific workplaces within these two sectors based on their accident experience;
f. Quality Management System – conducted an internal review and executed revisions to policies, procedures and forms, and developed new administrative and operational policies;
g. the Division delivers the "OHS News" via a monthly broadcast e-mail system as a means to promote general and specific OHS awareness, and to increase compliance. (Note: To receive the newsletter, persons are encouraged to register on the OHS Division's internet home page);
h. Division staff continued active involvement in various technical committees, organizations and associations in an effort to foster the sharing information and knowledge. Such activities included participation on/with:
   - Inter-provincial Mine Rescue Standards Committee,
   - Mine Rescue Competition held in Sussex NB'
   - Canadian Association of Chief Inspectors of Mines,
   - Engineers Nova Scotia,
   - Canadian Society of Safety Engineering,
   - Safety Services Nova Scotia,
   - American Board of Industrial Hygiene,
   - Canadian Board of Occupational Hygiene,
   - American Industrial Hygiene Association,
   - Canada-Nova Scotia Offshore Petroleum Board,
   - Advisory Group on Radon,
   - One Window Committee - Mining and Petroleum; and
i. occupational hygienist staffs were involved in a provincial committee centred on the review of dust collection systems in provincial facilities, and pandemic issues as explored by the Capital District Health Authority and the Department of Heath.

14. The Division participated on a two-member (LAE and TIR) regulatory body to review and update the Temporary Workplace Traffic Control Manual in consultation with a stakeholder working group.

15. The Division continued to use and improve its (Amanda) Activity Tracking System (ATS) aiming to generate better information on staff activities through the availability of a reporting tool. This is anticipated to be achieved through the availability of Cognos software that would access information through a new data warehouse. This is an initiative to enhance both the ATS in terms of accessibility and the ability to generate multiple reports in a timely manner.

16. Efforts continued on a numbers of project/enhancements to the Activity Tracking System, including:
   - preliminary work on the OHS Data Exchange for Temporary Foreign Workers with Citizenship Immigration Canada and Human Resources and Skills Development Canada (HRSDC); and
   - developing a linkage to the STAR/STOR records management program (Filenet) to ensure records in, both, Amanda and the Central

Registry office comply with the retention schedule as per the STAR/STOR system.

17. The Division participated in the review and development of national standards by:
    a. serving on Canadian Standards Association (CSA) technical committees regarding:
        - CSA Standard Z1002 - Occupational Health and Safety - Hazards and Risk Identification, Assessment, Elimination and Control,
        - CSA Standard Z1007 - Occupational Hearing Conservation,
        - CSA Standard Z 94.1- Industrial Protective Headwear,
        - CSA Standard Z460 - Hazardous Energy Control,
        - CSA Standard Z11 - Portable Ladders,
        - CSA Standard Z1000 - OHS Management Systems Standard,
        - CSA Z462 - Workplace Electrical Safety Standard,
        - CSA Z150.3 - Safety Code on Articulating Boom Cranes, and
        - CSA Z150 - Safety Code on Mobile Cranes;

        (Note: The public review of CSA Standards may be viewed at http://publicreview.csa.ca/)
    b. participating in the review of the Workplace Hazardous Materials Information System (WHMIS) laws and their potential harmonization with international standards through the Globally Harmonized System of Classification and Labeling of Chemicals;
    c. serving on various inter-jurisdictional committees, such as the Canadian Association of Administrators of Labour Legislation and Representatives of the Atlantic Provinces; and
    d. serving on provincial and national committees addressing radiation.

18. The Division continued to work with the agency partners making up the Workplace Safety and Insurance System (WSIS). The partners attended two (2) stakeholder consultations during the fiscal year. All WSIS committees (Coordinating Committee, Heads of Agencies Committee, Stakeholder Liaison Committee, Issues Resolution Committee and Joint Committee) were active during the 2010/11 fiscal year.

19. Several hazard alerts were developed and promoted to clients and stakeholders, including:
    - TMS-diazomethane *(a commercially available reagent used in organic chemistry as a methylating agent. It is a less explosive alternative to diazomethane for the methylidenation of carboxylic acids)*,
    - Vibration exposure,
    - Silica exposure, and
    - Storage and handling of pool chemicals

20. To support the Government's efforts to "get back to balance" and live within its means, the Division participated in the Department's Expenditure Management Initiative to explore ways to eliminate the deficit by 2013-14.

21. The Department's name changed from Labour and Workforce Development to Labour and Advanced Education. This change brought no structural changes to the Division.

22. The Division partnered with the Canadian Centre for Occupational Health and Safety (CCOHS) to provide the availability of an online Inquiry Service to answer questions regarding workplace health and safety. This free service is available, in both English and French, and can be accessed at http://www.ccohs.ca/ccohs/inq.html.

23. After many years of operation, the Division replaced its aging video-lending library with online access to learning resources. Access to the modern online resources can be arranged through the by contacting Division staff at http://www.gov.ns.ca/lae/healthandsafety/video/.

24. The Division continued its partnership with the Canadian Standards Association (CSA) to provide online access to any CSA standard that is referenced in the occupational health and safety laws of all provincial and federal jurisdictions within Canada. To register for view access, visit OHS Division's home page at http://www.gov.ns.ca/lae/healthandsafety/ .

25. Division activities reflect the following statistical highlights in comparison to the 2009/11 fiscal year:
    - # of Division (overall) Activities increased approximately 10%
    - # of Activities Per-Officer increased approximately 15%
    - # of Complaints increased approximately 40%
    - # of Orders Issued (OHS Act) increased approximately 15%
    - # of Orders Issued (Regulations) decreased approximately 5%
    - # of Appeals (Officers' Decisions) increased approximately 50%
    - # of Appeals (Director's Decision) increased approximately 28%
    - # of Total Appeals increased approximately 40%
    - # of Administrative Penalties issued during 2010/11 is 1149

26. Based on the data produced from the IRS Checklists compiled by officers during inspection activities, there was a marked increase in compliance to IRS-related legislation. In fact, 93% (of the 27) areas measured reflected an increased level of compliance. The two areas that slightly decreased related to the establishment and continued effectiveness of Joint Occupational Health and Safety Committees.

27. There were 43 (long-form) charges decided by the court during 2010/11, an increase of approximately 70% over the previous year. The conviction rate on the charges that were decided (based on charges proceeded by the Crown) was 100% (18/18). However, it should be noted that of the 43 charges laid by the Division, 25 were either dismissed or withdrawn by the Crown in favour of plea arrangements with defense counsel. Ten Summary Offence Tickets were issued

during the reporting period, an increase of approximately 230% over the previous year.

Introduction

This is the report from the Occupational Health and Safety Division ("Division") to the Occupational Health and Safety Advisory Council for the period April 1, 2010 to March 31, 2011. These reports are submitted annually in accordance with subsection 9(f) of the Occupational Health and Safety Act to report on activities and provide a review of the administration of the Act and associated programs.

Where injury data is presented, the Division is not necessarily the sole source of the data. Consequently, the Division cannot answer accurately, or in detail, as to the method of collection, standard of measurement, data quality or trends reported by the source agencies (Atlantic Provinces, WCB and Federal Government). If such information is required, the reader is encouraged to contact the organizations from which the data was obtained.

This report is divided into ten (10) areas:

- Summary and Highlights of 2010/2011
- Introduction
- Labour and Advanced Education and the OHS Division
- Statement of Mandate, Strategies, Goals and Objectives
- Divisional Activity Supporting Departmental Priorities
- Review of Compliance with the OHS Act and Regulations
- Review of Performance Measures
- Business Plan Performance Measures
- Review of Divisional Operations
- Appendices

In this document, the following short forms are used:

Name/Acronym	Explanation
"Act"	Occupational Health and Safety Act
"Advisory Council"	Occupational Health and Safety Advisory Council
"Division"	Occupational Health and Safety Division of LAE
"HRSDC"	Human Resources and Social Development Canada - Labour Program
"IRS"	Internal Responsibility System *(the foundation of the OHS Act)*
"ITIS"	Investigations, Technical and Internal Services (OHS Division)
"JOHSC"	Joint Occupational Health and Safety Committee
"LAE"	Department of Labour and Advanced Education

"OHS"	occupational health and safety
"SIC"	Standard Industrial Classification *(a number assigned to companies within the same industry)*
"WAP"	Workers' Advisers Program
"WCAT"	Workers' Compensation Appeal Tribunal
"WCB"	Workers' Compensation Board of Nova Scotia
"WSIS"	Workplace Safety and Insurance System comprising the Division, WCB, WCAT, WAP and, participating as appropriate, HRSDC

Labour and Advanced Education and the OHS Division

On January 11, 2011, the Nova Scotia Department of Labour and Workforce Development (LWD) was renamed to Labour and Advanced Education (LAE). The Department currently encompasses the following Branches and Divisions:

Branches	Divisions
Labour Services	- Conciliation and Labour Tribunals - Labour Standards - Pension Regulation - Workers Advisers Program
Policy, Planning and Professional Services	- Policy and Planning - Professional Services - Building, Fire and Technical Safety and Office of the Fire Marshal - Occupational Health and Safety
Skill and Learning	- Adult Education - Apprenticeship Training - Employment Nova Scotia - Labour Market Partnerships - Skill Development

The structure of the new Department did not affect the organizational map of the Division (see *Appendix A for the OHS Division Organizational Chart).*

Statement of Mandate, Strategies, Goals and Objectives

The Division operates within the context of a 5-year strategic plan, a 2009 – 2013 Strategic Plan, and the Labour and Advanced Education *Statement of Mandate* (formerly known as Business Plan).

The Statement of Mandate identifies the broad mission and goals for the Department and the Divisions within, and ensures that the workforce is competitive by making strategic investments in people, programs, services and partnerships that contribute to a fair, equitable, safe, productive and inclusive environment in which to learn, work and live.

The broad mandate of the Department encompassed regulatory responsibility for occupational health and safety, public safety, alcohol and gaming, pensions, labour relations, and labour standards which, combined, administers over 20 Acts, 100 regulations, and employs approximately 100 officers and inspectors across its 3 major inspectorates. *(Note: Alcohol and Gaming Division was relocated to Service Nova Scotia and Municipal Relations during FY 2010/11.)*

Division Clients

The clients that are serviced by the Division are:

- employees
- employers
- stakeholders of the Department (business, industry representatives, labour (unionized & non-unionized), NGO's, non-profit organizations, etc.)
- senior officials in other governmental departments and senior officials within government
- government staff and agency staff from other jurisdictions (Provincial and Federal)
- general public
- service providers
- suppliers

OHS Division Mission Statement and Objectives

The Division's Mission Statement is:

> To establish, promote, and enforce clear standards to reduce occupational injury and illness.

The Department's mission is accomplished by applying both regulatory and non-regulatory compliance tools such as public education and communications, standard setting, codes of practice, promotion of partnerships and stewardship agreements, and economic instruments.

Three (3) key objectives were identified by the Division and continue to be acted upon:

1. together with our partners, reduce the incidence of injury and illness of employees;
2. improve the understanding of occupational health and safety standards by all workplace parties; and
3. improve health and safety conditions in the workplace by means of promotion, research, inspection, investigation and enforcement of laws.

To help achieve these objectives, the Division continued to:

- support and encourage the use of the internal responsibility system
- deliver a program aimed at improving the understanding of occupational health and safety standards by all workplace parties
- develop regulatory management practices which follow best practices and focus on continuous improvement, in consultation with stakeholders
- develop and implement risk-based models for delivery of occupational health and safety services
- prepare and maintain statistics and information related to occupational health and safety
- develop revisions to occupational health and safety laws and policies
- support research in matters related to occupational health and safety
- publish reports, studies and recommendations
- support the tripartite system of employers, employees and government to share in decision making as it affects occupational health and safety
- administer consistently with all clients all health and safety-related Acts and Regulations

Staffing

The Division has the following staff positions to ensure its objectives and priorities are appropriate and adequately addressed:

Position	No. of Staff in Position
Executive Director - OHS Division	1
Provincial Director - ITIS	1
Regional Directors	4
Managers	3
Special Investigators	5
OHS Officers	31
Occupational Hygienists	4
Mining Engineers	2
OHS Engineer	1
Policy Officer	1
Administrator (Administrative Penalties)	1
IMS Administrator	1
Computer Services Officer	1
Administrative Support	7

- Paralegal 1
- Information Specialist 1
- Quality Coordinator / Project Manager 1
- *Operational (HR / IT / Finance) Support - Shared Service*
- *Policy Support - Shared Service (Service Level Agreement with Policy & Planning - Professional Services Division (LAE))*

Divisional Activity Supporting Departmental Priorities

In addition to the activities undertaken by the Division relative to the three objectives reflected previously, the Division pursued five (5) key issues in support of the LAE priorities, which included:

1. maintain laws to reflect current workplace practices and technology;
2. develop partnerships to further the goals and objectives of the OHS Division and Department, while maximizing LAE's capacity;
3. LAE / WCB alignment;
4. building compliance capacity and culture; and
5. identifying and implementing effective solutions

Core business area priorities were identified in the Division's operations plan with the following activities highlighted in support:

- inspection of workplaces (existing);
- investigate accidents and complaints (existing);
- improve compliance and raise awareness of OHS legislative requirements (existing);
- develop IRS strategy, promote the IRS among clients and in general (existing with new initiatives);
- ensure relevant and up-to-date regulations by researching new and update existing regulations (ongoing);
- refine targeting system to ensure inspection and enforcement activities are focused on where it is needed most (existing collaboration with WCB);
- assist in the continuance of OHS education in the public school system beyond the pilot project phase (existing);
- update Laws - Occupational Safety General Regulations / FPSR / TWTCR / OHR / LNG;
- update Laws - Occupational Health and Safety Committee Regulations (new);
- update Laws - Amend Offshore Accord Act;
- update Laws - Offshore Accord OHS Regulations;
- quality Training Review;
- enhance the development of the New Officer Training Program and ensure access to quality training for staff as required;
- review Safety Branch Operations;
- consult on Ergonomics;
- support WSIS initiatives; and
- temporary Foreign Workers

Committee Participation

Committees being supported by the Division (Chair and members) are as follows:

Board/Committee	# of Members
CAALL-OSH	1
WSIS – Head of Agency	1
WSIS – Joint Committee	2
WSIS – Stakeholder Liaison Committee	1
OHS Advisory Council	1
OHS Advisory Council (working committees)	4
Hazardous Materials Information Review Commission Board	1
Workplace Hazardous Materials Information System Committees	1
Canadian Standards Association Committees	3
Intergovernmental Committees	4
Departmental Committees	4
Industry Sector Committees	6
Interdepartmental Committees	1
NAOSH Committee	1
Working Group Participation	4

WSIS Goals and Objectives: OHS Divisional Activities in Response

Nova Scotia's Workplace Safety and Insurance System (WSIS) is a collaboration of government, agencies, advisory councils, working groups and those that the System serves (workers and employers) - all working together toward a common vision.

There are two departments that play a role in WSIS: Labour and Advanced Education (LAE) and Justice. LAE is responsible for Parts I and III of the *Workers' Compensation Act* and for the *Occupational Health and Safety Act*. As per the *Workers' Compensation Act*, the Minister is responsible for the appointment of the Chair and the representative members of the Board of Directors of the Workers' Compensation Board and for appointment of the Chief Adviser of the Workers' Advisers Program. As per the *Occupational Health and Safety Act* the Minister is directly responsible for the Occupational Health and Safety Division.

The Minister of Justice is responsible for Part II of the *Workers' Compensation Act* and for the selection of the Chief Appeal Commissioner of the Workers' Compensation Appeals Tribunal.

The OHS Division is a partner of WSIS and, as such, has systemic goals and objectives to strive toward. One of these goals is to *improve outcomes for workers and employers* by reducing workplace injuries. WSIS strives to achieve this objective by:

- increasing worker and employer awareness and knowledge of rights, responsibilities, risks and best practice related to illness and injury prevention;
- encouraging positive health and safety attitudes and behaviours;
- increasing compliance with legislative standards; and
- the adoption of best practice to improve health and safety outcomes

One of the existing committees of WSIS is the Joint Committee, which is a standing committee of the Heads of Agencies Committee (HAC) is comprised of representatives from the WCB, OHS-LAE, and HRSDC. The following initiatives are monitored by the Joint Committee:

Initiative	Comments
1. Education	1. completion of Healthy Living 9 pilot, teacher and student review, and implementation of the program in the 2010 – 2011 school year (beginning in March 2011). All targets were met for this program. 2. new safety resources for educators, including worksafeforlife.ca, somanyways.ca, Rod Stickman as a teaching tool, CD resource packs for teachers, etc., and 3. trends and considerations for future discussion, such as OHS content in Labour Market Agreement's "Works For You", further work with NSSAL, and adding OHS content to business applications such as ACOA's SEED capital grants.
IRS	The components of the strategy are being defined.
Ergonomics	The consultation paper is still in the draft stage and awaiting distribution.
Quality Training	The stakeholder working group has been established and will look at, both, training course content and provider quality assurance and control. Progress will be monitored to determine the need for program development.
Targeting	A revised targeting process for the agencies has been reviewed and has been implemented to evaluate if this revised approach will work better than previous approaches.
Communications Alignment	Committee participants have been identified and a project plan will be discussed. Once established, support and resources will need to be identified.

Skills Development & Return to Work (RTW) Opportunities	Committee participants have been identified and a project plan will be discussed. Once established, support and resources will need to be identified.
Leadership Development	Project plan being discussed and support and resources will need to be identified. The project plan has been submitted to the WSIS Heads of Agencies for review.
Ontario OHS Expert Report	This is being reviewed by the Joint Committee at the request of the Heads of Agency Committee.
Fishing Sector Initiative	Staff persons (OHS/WCB/TC-MS/FSANS) were identified and have since commenced stakeholder meetings as a means to improve the safety in the fishing sector.

Advancing the priority areas requires various forms of collaboration between members and the agencies they represent. As stated above, one of the priority areas for Joint Committee is *leadership*. In 2011, Joint Committee members agreed to work on developing a framework for a leadership development project. The purpose is to focus on promoting workplace health and safety from inside industry. This is expected to have an impact in terms of increased awareness on the importance of injury prevention and promoting best practice(s).

Also, throughout 2010 and 2011, the WCB and the OHS Division continued the social marketing public service announcements intended to promote safe work practices, collaborating on Day of Morning awareness and further development of the Rod Stickman campaign.

Progress on 2005 Divisional Priorities

In July 2005, the Minister identified the Division's priorities for the next several years. The progress on those priorities as of March 31, 2011 is set out below.

Priority	Status	Comments
Repeal Radiation-Emitting Devices Regulations	Completed 2005/2006	
Create Governance and Accountability Framework for WSIS	Completed 2005/2006	Done in cooperation with WSIS partners.

Priority	Status	Comments
Diving Strategy	Completed 2006/2007	Strategy completed, including: • province-wide education sessions • training enabled through partners • guidance and plain language documents • regulations
Create strategy to address workplace violence	Completed 2007/2008	Strategy completed, including: • province-wide education sessions • social marketing • guidance and plain language documents • codes of practice • regulations
General Blasting Regulations	Completed 2007/2008	Review of technical regulations completed and blaster certification transferred to Apprenticeship Training and Skill Development Division.
Add high hazard offences as Summary Offence Tickets	Completed 2007/2008	Department of Justice advises that the wording of the current regulations precludes the creation of Summary Offence Tickets. SOTs will be considered as each regulation is updated and wording is changed.
Create strategy to promote the Internal Responsibility System	2006 – Current/ Ongoing	Discussion paper issued and comments gathered. Strategy being finalized.
Underground Mining Regulations	Completed 2008/2009	Regulations passed.
Create strategy to address Liquefied Natural Gas Regulations	Completed 2008/2009	Regulations to be presented to Cabinet in 2011/12.
Create appropriate OHS regime in the offshore area	2000 – Current/ Ongoing	Negotiations with the federal government and Newfoundland and Labrador continue.
Create strategy to address ergonomic injuries	2003 – Current/ Ongoing	Created self-help documents. Collaborated on WCB on ergonomics booklet.
Create strategy to address chemical and physical agent exposure	2003 – Current/ Ongoing	Participated in efforts to update WHMIS laws to harmonize with the Globally Harmonized System.
Create strategy to address falls from heights	Completed 2009/2010	Working group submitted recommended changes to the FPSR. Revised regulations to be presented to Cabinet 2011/12 in conjunction with Workplace Health and Safety Regulation consolidation initiative.

Progress on 2010/11 LAE Statement of Mandate Priorities

In finalizing its 2010/11 *Statement of Mandate*, the Department established strategic priorities. The priority specifically addressed by the Division is:

> Nova Scotians will have safe, healthy and supportive workplaces and communities.

In support of the Department's Statement of Mandate and the WSIS objectives, the Division responded with the following corresponding initiatives and activities:

1. Increase worker and employer awareness of rights, responsibilities, risks and best practices related to illness and injury prevention
   - the Division developed and distributed informational and educational material aimed at raising awareness. Approximate distribution figures are as follows:

Publication	Quantity
OHS Act	1245
Administrative Penalties Regulations	1567
Reference Guide to the OHS Act	585
Occupational Safety General Regulations (OSGR)	1100
Reference Guide to the OSGR	515
Blasting Safety Regulations	90
First Aid Regulations	1280
Reference Guide to the First Aid Regulations	20
Temporary Workplace Traffic Control Regulations	138
WHMIS Regulations	1222
Reference Guide to the WHMIS Regulations	18
Occupational Health Regulations	515
Fall Protection & Scaffolding Regulations (FPSR)	1315
Reference Guide to FPSR	100
Violence in the Workplace Regulations	1010
Reference Guide to the Violence in the Workplace Regs Assessing the Risk of Workplace Violence	342
Violence in the Workplace Prevention Guide 2nd Edition	245
Violence in the Workplace Prevention Guide 3rd Edition	0
Your Rights, Responsibilities and the OHS Act (mini)	0
The Forest Professional	865
"How To" Guide for OHS Policy and Program	570
Construction Project - JOHSC: A Practical Guide	785
A Guide to WHMIS	550
Reference Guide for WHMIS Regulations	60
Reference Guide for WHMIS Regulations	30
JOHSC: A Practical Guide for Single-Employer Workplaces	455
Occupational Diving Regulations	28
Guide to Preventing Violence, Robbery, Theft	12
Health and Safety Guide for New Retail Workers	60
Process Safe: Handbook for Seafood Processing	10
Appeal Panel Regulations	50
Disclosure of Information Regulations	0
Workplace Safety and Your Employee	650

Administrative Penalties Pamphlet & Poster	2000
Knowledge Base (information cards)	2645

(Note: Printing costs for FY 2010/11 were $31,427.00)

- The Division funded and developed a new Internet website called Knowledge Base that allows viewers to search for OHS-related information, publications and legislations in a variety of ways. The website is interactive and believed to be one of the first of its kind in Canada, if not North America.

2. Encourage positive health and safety attitude and behaviours
   - the Division supported and participated at several occupational health and safety-related conferences and workshops hosted at or by:
     - Threads of Life
     - Construction Association of Nova Scotia
     - Canadian Society of Safety Engineers
     - Safety Services Nova Scotia
     - Nova Scotia Road Builders' Association
     - Nova Scotia Home Builders' Association
     - South Shore Regional Health Authority
     - Scotia Recycling
     - Department of Transportation and Infrastructure Renewal
     - Loblaws
     - Mining Association of Nova Scotia
     - Nova Scotia Trucking Safety Association
     - Workers' Compensation Board of Nova Scotia
     - Canadian Door Institute
     - Nova Scotia Community College – *Constructing the Future Group*
     - Roofing Contractors Association of Nova Scotia
     - Nova Scotia Electrical Contractors Association
   - the Division, through its' officers and staff, responded to opportunities and invitations to deliver OHS presentations to individual businesses, as well as organizations and conferences, some of which are identified above.

3. Increase compliance with legislative standards and the adoption of best practices
   - following the January 2010 implementation and subsequent one year review of the Administrative Penalties Regulations, the OHS Division maintains that it has been an effective tool in raising OHS awareness and helping to increase voluntary compliance throughout Nova Scotia's workplaces.

4. Improve health and safety outcomes
   - the Division continues to work with its WSIS partners in order to achieve continuous improvement in safety outcomes
     - Participated in regular Joint Committee meetings involving the Division, WCB and HRSDC
     - Participated on the Heads of Agency committee comprising senior management of the Division, WCB and HRSDC
     - Participated on the Stakeholder Liaison Committee
     - Participated in the WSIS semi-annual and annual general meetings

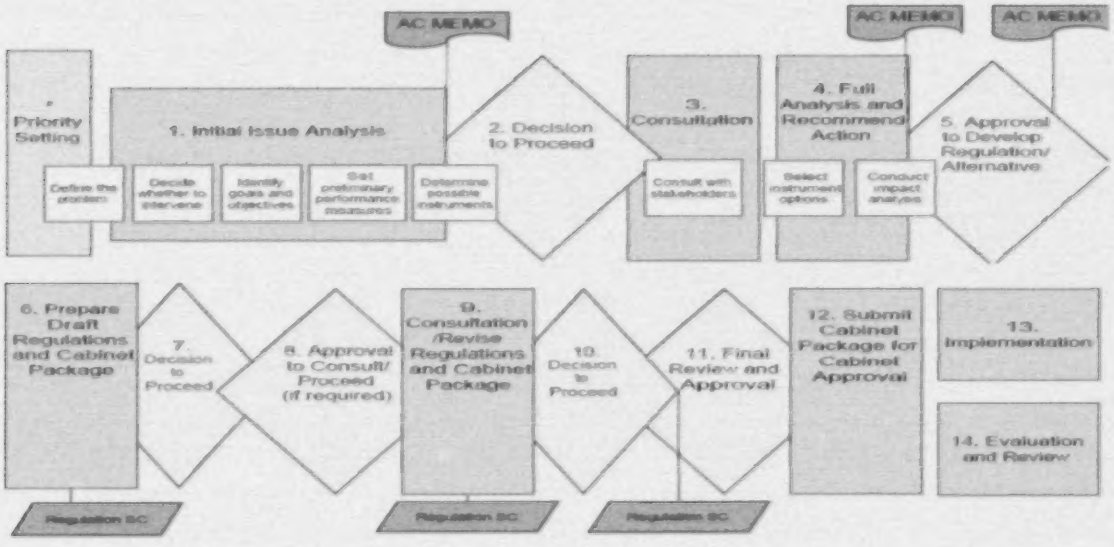
OHS Division Multi-Year Plan

2008 / 09	2009 / 2010	2010 / 2011	2011 / 12	2012 / 13
Ergonomics	Immigration & Non-permanent/Non-traditional workers (workers in precarious employment arrangements)	Working Alone	Compliance Promotion for Regulations	Supply Chain Operations
Education		New Workers		
Training		Aging Workers	Mediums of Communication	Workplace Violence
Research	Fall Protection & Scaffolding	Temporary Workplace Traffic Control Regulations		
Fall Protection & Scaffolding	Ergonomics		Occupational Health Regulations	
WHMIS	Education			OSGR
IRS	Training			
LNG	Research			
Targeting	WHMIS			
	IRS			
	Targeting			

The OHS Division Issue Management Process is shown below. This is useful to determine the progress and status on the review and development of regulations.

OHS DIVISION ISSUE MANAGEMENT PROCESS

December 18, 2008



A report on the current status of review and development of regulations is highlighted below.

Legislation Review

Occupational Health and Safety Act	Status – Stage 14	Fine structure amendment introduced Bill 25.
Offshore Petroleum Accord - OHS law reform	Status – Stage 9	Proposed revision being discussed, expecting revised federal Bill during Fall 2011.

Regulation Activity

Regulations	Status	Time line / Comment
Administrative Penalty Regulations	Stage 14	No revisions being considered. Evaluation and review.
BS Regulations	Stage 14	No revisions being considered. Evaluation and review.
DOI Regulations	Stage 14	No revisions being considered. Evaluation and review.
FPS Regulations	Stage 9	Produce revised regulation. Include content in OSGR 2011 revision.
OD Regulations	Stage 14	No revisions being considered. Evaluation and review.
OH Regulations	Stage 1	Review proposed to begin 2011 / 2012 Include content in OSGR 2011 revision.
OHS AP Regulations	Stage 14	No revisions being considered. Evaluation and review.
OHS FA Regulations	Stage 14	No revisions being considered. Evaluation and review.
OSG Regulations	Stage 8	LNG revision - finalized draft includes content in OSGR 2010 revision. Review proposed 2012 / 2013.
TWTC Regulations	Stage 3 / 8	Begin work 2010 / 2011. Include content in OSGR 2011 revision.
Underground Mining Regulations	Stage 14	No revisions being considered. Evaluation and review.
VITW Regulations	Stage 14	No revisions being considered. Review proposed 2012 / 2013.
WHMIS Regulations	Stage 3 / 8	Begin additional work based on the federal provincial national consultation.
Offshore Accord OHS regulations (Accord Act)	Stage 2	Begin work on comprehensive OHS regulations with NL / CA / NS.

Active Issues	Status	Status	Time line/ Comment
Preliminary impact analysis: MSI injuries (ergonomics)	Ways and means of improving ergonomic practices in workplaces to reduce the incidence of musculo-skeletal injuries. WCB proceeding with discussion document.	3	2007 / 2008 start
IRS requirements and compliance	Ways and means of improving the IRS within workplaces and the operation of JOHSC's including a review of a need for Joint Occupational Health and Safety Committees Regulations. Develop Strategic Document.	4	2007 / 2008 start
IRS requirements and compliance	Ways and means of improving the IRS within workplaces and the operation of JOHSC's including a review of a need for Joint Occupational Health and Safety Committees Regulations. Develop Strategic Document.	4	2007 / 2008 start
Work at height and fall prevention	Ways and means of improving fall prevention including improvement in the level of compliance revision of the Fall Protection and Scaffolding Regulations with inclusion of compliance improvement Drafting instructions developed. Include content in OSGR 2010 revision.	9	2008 / 2009 start
Education	Interagency committee considering current efforts within the province, gaps and path forward. Department of Education to establish a committee to review curriculum for grade 9 pilot program.	4	2008 / 2009 start
Research	Scope of work to be considered	1	2008 / 2009 start
Training	Set up committee to review training and potential improvements.	4	2008 / 2009 start
Immigration and Non-permanent / non-traditional workers	Scope of work to be considered.	1	2009 / 2010 start
Traffic / Travel	Revised TWTC Manual introduced May 2009 and no estimated completion date for Temporary Workplace Traffic Control Regulations review.	2	2010 / 2011 start
Working Alone	Develop background document including jurisdictional review and	1	December 2010

	Regulation Subcommittee to develop recommended actions.		
New Workers	Develop background document including jurisdictional review and determine what actions, if any, may be required.	1	January 2011
Aging Workers	Develop background document including jurisdictional review and determine what actions, if any, may be required.	1	February 2011
Compliance Promotion for Regulations	Scope of work to be considered.	1	2011 / 2012 start
Chemical and Physical agent exposure at work	Review how chemical and physical agent exposure should be controlled and the need for a revision of the Occupational Health Regulations and the introduction of Indoor Air Quality Regulations.	1	2011 / 2012 start
Mediums of Communication	Scope of work to be considered.	1	2011 / 2012 start
Supply Chain Operations	Scope of work to be considered.	1	2012 / 2013 start

Review of Compliance with the OHS Act and Regulations

Compliance by Division

The Act and regulations establish several requirements on the Division, as noted throughout this document and reported in qualitative and quantitative measurements. In all cases where the requirement was triggered, the Division met the requirement.

Compliance by Outside Organizations

Compliance with the Act and regulations by outside organizations is statistically monitored, primarily, through an IRS Checklist which is administered during certain categories of inspections.

The IRS Checklist results reveal the following summary statistics[1]. Appendix B has a detailed listing of the checklist findings.

[1] Note that, with the implementation of the Activity Tracking System in 2007/2008, the questions used on the IRS checklist changed. Thus, while data from previous years is presented here, comparisons must be made with caution.

Internal Responsibility System Measure	% Meeting New Standard				% Meeting Previous Standard (Firms with 20 or more employees only)	
	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007	2005/ 2006
OHS Policy and Program Issues	83.6%	79.4%	71.3%	68.8%	74.0%	52.0%
JOHSC Issues	80.3%	77.1%	67.1%	62.2%	74.0%	49.0%
Communication and Information	75.2%	70.5%	59.0%	58.5%	73.0%	48.0%
Training	80.7%	73.7%	63.3%	57.5%	N/A	N/A
Records	79.6%	75.8%	69.0%	65.6%	N/A	N/A

There were improvements noted by the Division in all these categories. In Appendix B, 25 of the 27 indicators (representing 92%) show an improvement from the previously measured year. However, it is important to note that the Division has implemented an inspection targeting system that directs the inspections toward organizations with higher accident rates. Consequently:

- the above results are not necessarily indicative of the "average" situation experienced with all Nova Scotia workplaces; and
- as a result of inspection targeting, the results are most likely biased[2] to under-report actual average conformity with the elements of the IRS.

Review of Performance Measures

Statement of Mandate Performance Measures

Average duration of lost-time claims compared to the Atlantic Canada average

The Division measures its performance in four ways:

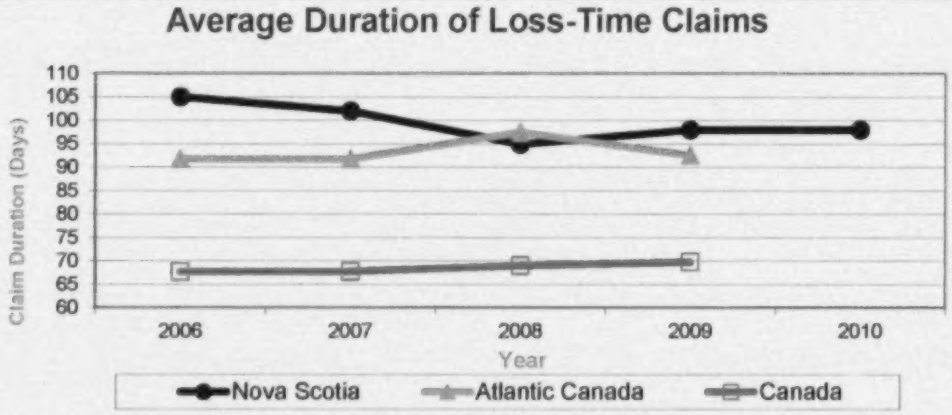
1. outcomes and outcome measures established for the Division in the Department's Statement of Mandate;
2. outcomes and outcome measures established for the Division through the WSIS process;
3. compliance with our Quality Management System Objectives; and
4. client satisfaction surveys.

[2] The size of the bias is unknown.

The Division is accountable for meeting the outcomes and measures noted in the Department's 2011/2012 Statement of Mandate, as highlighted and reported on, as depicted in the following graphs and charts.

Appendix C gives details for the following two measures.

Measure: Average duration of Workers' Compensation lost-time claims compared to the Atlantic Canada and Canada averages.



LAE Target = Maintain or decrease the average number of compensable days relative to the Atlantic Canada and Canada averages.

Data:

	2006	2007	2008	2009	2010
Nova Scotia	105	102	95	98	98
Atlantic Canada	91.74	91.8	97.52	92.66	N/A
Canada	67.7	67.74	68.98	69.81	N/A

Note: Data not available for Atlantic Canada or Canada for calendar year 2010. Canada data reflects all jurisdictions who currently report on this measure.

Description of Target, Trend, Comparison/Benchmark:

In 2009 the injury rate for time-loss claims per 100 covered employees was 2.26. In 2010, that number decreased to 2.1. The injury rate has continued its downward trend over the last five year period.

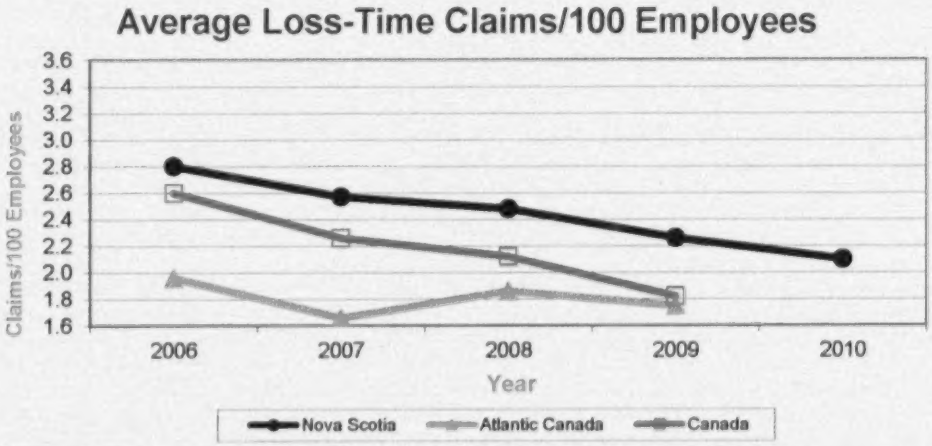
Although the trend for loss time accident claims continues to decrease, we would like to be at or below the national average, or at least be below the Atlantic Canada average. Together with the WCB and other Workplace Safety Insurance System partners, the department will continue to work closely with the WCB to identify high accident firms and sectors, and frequent types of accidents. The department will continue to use this information to target compliance promotion activities and inspections more effectively.

Strategies to Achieve Target:

- continue to collaborate and partner with WCB to identify and strategically target industry sectors and clients with high accident and illness experience.

- Continue partnership initiatives with the WCB to increase OHS promotion and education across industry sectors.
- Continue to develop a targeted risk-based inspection and education system that reflects claim duration.

Annual average number of new registered WCB loss time claims per hundred employees compared to the Atlantic Canada and Canada average



LAE Target = Maintain or decrease the number of WCB loss time claims compared to the Atlantic Canada and Canadian averages.

Data:

	2006	2007	2008	2009	2010
Nova Scotia	2.8	2.57	2.48	2.26	2.1
Atlantic Canada	1.96	1.66	1.86	1.75	N/A
Canada	2.6	2.26	2.12	1.82	N/A

Note: Data not available for Atlantic Canada or Canada for 2010. However, the NS statistic indicates continuous decline since 2006.

Description of Target, Trend, Comparison/Benchmark:

In 2009, the number of compensable time-loss claims registered was 7,206. In 2010, that number decreased to 6,921. The number of serious injuries fell below 7,000 for the first time in over a decade. The index was static in 2010 but the trend has been downward continuing to approach the Atlantic Canada average. The Atlantic Canada region average will need to be reduced significantly to reach the national average. The national average includes only those jurisdictions that report on the measure to the Association of Workers' Compensation Boards of Canada, from which this data comes.

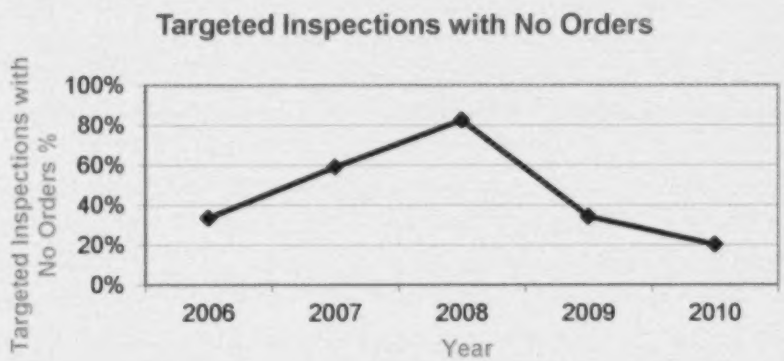
The Nova Scotia target has not been met on an annual basis since 2000. The trend will continue to be monitored. Together with the WCB and other Workplace Safety Insurance System partners, the department's target is to have the average five-year composite duration of lost-time claims in Nova Scotia identify high accident firms and sectors, as well as the types and frequency of accidents.

The department will continue to use this information to target compliance promotion activities and inspections more effectively.

Strategies to Achieve Target:

- continue to collaborate and partner with WCB to identify and strategically target industry sectors and clients with high accident and illness experience.
- continue partnership initiatives with the WCB to increase OHS promotion and education across industry sectors.
- in collaboration with WCB and HRSDC, continue to research and maintain a targeted risk-based inspection strategy based on key elements: compliance history, accident/injury/illness cost, accident/injury/illness frequency, and accident/injury/illness severity.

Annual Percentage of Targeted Inspections where an OHS Order is Not Issued



Division Target = Percentage of inspections without orders must be less than the 5-year running average.

Data:

2006	2007	2008	2009	2010	5 yr Avg.
33.50%	59.00%	82.50%	34.22%	20.05%	45.85%

Description of Target, Trend, Comparison/Benchmark:
To meet the annual target, the percentage of inspections without orders must be less than the 5-year running average. For 2010, the target is <45.85%. The Division surpassed this benchmark in 2010, having realized 20.05%.

This measure assumes that a lower number of orders issued per each target inspection means higher compliance levels. Unfortunately, this measure is not necessarily indicative of an increase in compliance due to the subjective nature of the process. Specifically, one officer may render a decision to issue an order for a given situation, while another officer may decide on an alternative response. Also, there was a noticeable decline in the number of orders issued by some officers following the implementation of the Administrative Penalties Regulations, an anomaly that was addressed through management support.

Strategies to Achieve Target:

- update and implement the strategic planning and targeted inspection activities.
- work closely with the WCB, through WSIS, to identify high accident firms, sectors and type of accidents.
- work with the WCB, through WSIS, to increase OHS promotion and education.
- continue to develop a targeted risk-based inspection system.
- provide self-help resources to workplaces to improve compliance.

Quality Management System Objectives and Targets for 2010/11

Quality Objective	What We Measured	Target	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008
Ensure Client Satisfaction	1. Average client satisfaction based on requested feedback from clients on the Division's services and products, such as publications and inspection surveys	75%	82%	94%	85%	85%
	2. Requests for service (complaints) recorded in the ATS will be closed within 7 calendar days from receiving them	70%	57%	55%	43%	N/A
	3. Written complaints against staff	<10	4	3	8	1
Ensure Consistency	4a. Inspection Reports submitted to managers will be reviewed and compared to the Officer File Review Form.	10%	N/A	N/A	a. 28%	a. 5%
	4b. Inspection reports will meet the formatting criteria	70%	N/A	N/A	b. 91%	b. 75%
	5. Major investigation files (those that result in a long form report) received by managers will meet the proper format when initially submitted	80%	N/A	N/A	N/A	58%
Ensure Timeliness	6. Work refusal investigations will be completed with a decision made in 10 calendar days from the beginning of the investigation	80%	90%	100%	97%	67%
	7. Compliance orders will be complied with within the time frame specified in the order (includes extensions)	80%	63%	63%	65%	58%

	8. Major (excluding prosecutions) investigation files (those that result in a long form report) will be submitted to managers within 6 months from the time of the original incident	80%*	N/A	N/A	N/A	55%
	9. Appeals to the Director will be decided within 6 months	80%	95%	88%	75%	44%
	10. Drafts for publications (excluding laws) will be completed within one month of the start date	80%	85%	83%	71%	20%
Ensure Effectiveness and Efficiency	11. Orders appealed to the Director are upheld (where the Director has made a decision based on the merits of an order)	80%	89%	75%	50%	89%
	12. Success rate in prosecutions = Guilty Verdicts / (Total Guilty + Not Guilty Verdicts). This measure does not consider plea arrangements whereby individual charges are dropped by the Crown or dismissed by the Court in favour of a Guilty plea	60%*	100%	91%	82%	100%
	13. Investigation files will result in at least 4 Hazard Alerts being issued	20%	100%	3%	0.10%	1%
	14. .Mandatory training for employees working in the Division for 12 months or more (includes retraining)	80%	100%	N/A	35%	18%

N/A = *Data not available* or applicable. (Note: The Quality Coordinator position was vacant during much of 2010. Consequently, some statistics were not able to be confirmed.)

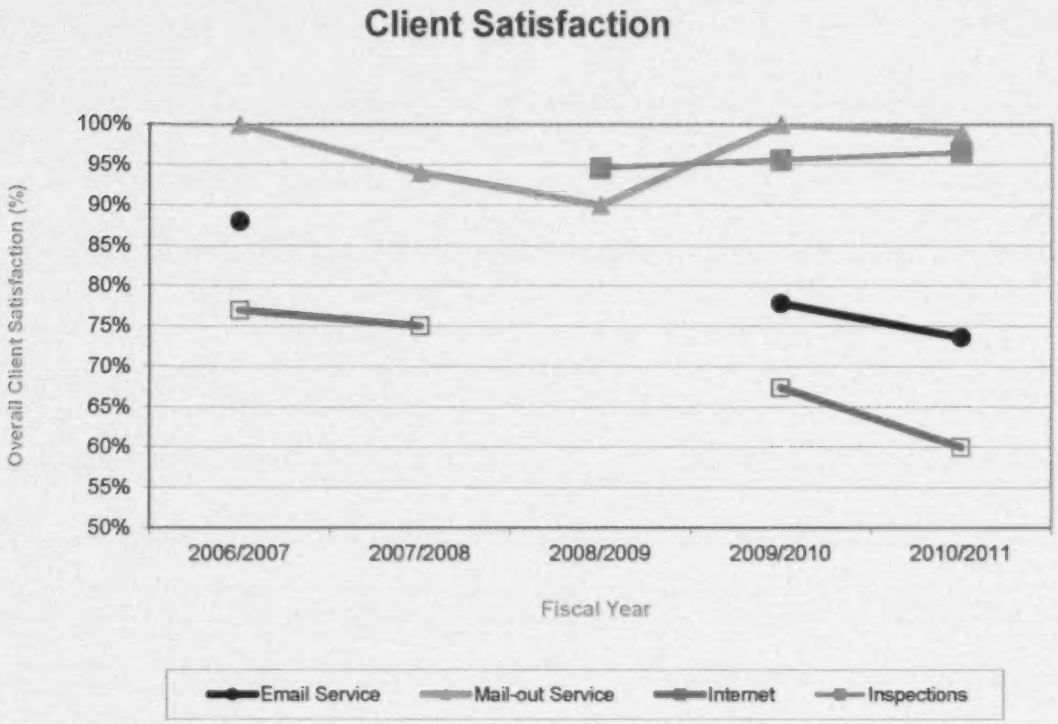
Client Satisfaction

The Division measured client satisfaction for four services[3]:

1. e-mail Question Survey (whereby clients may send e-mails to the Division with questions on OHS laws and receive an e-mailed answer);
2. publications mail-out surveys;
3. internet surveys; and
4. inspection activities.

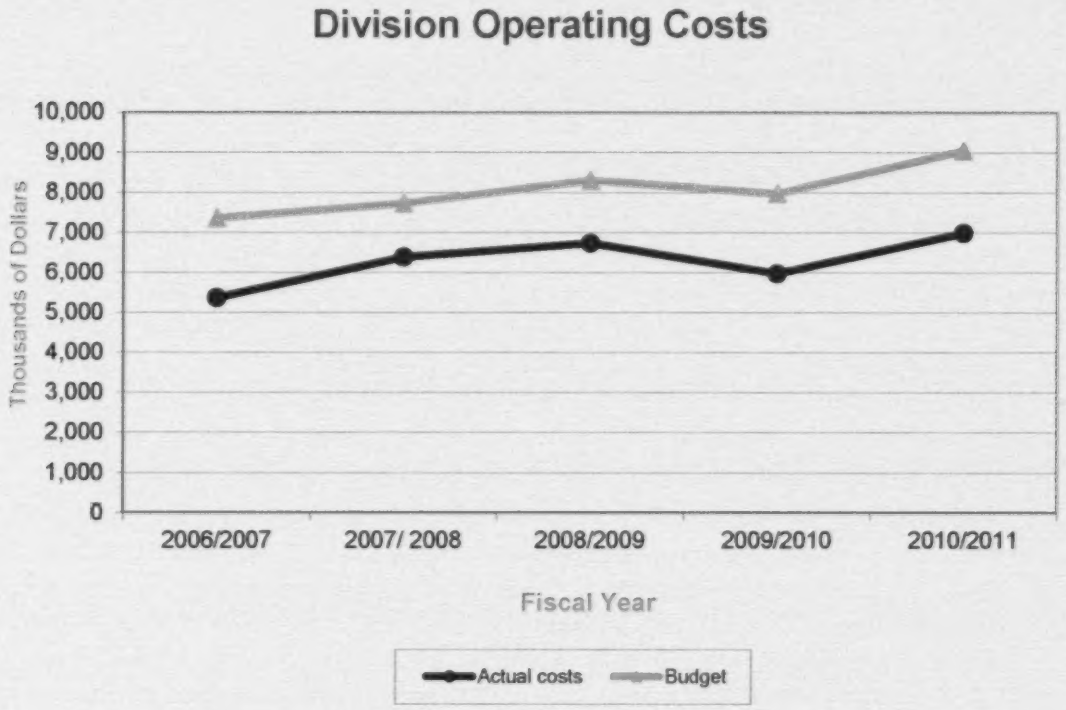
[3] Appendix D shows the details of the client satisfaction measures. Due to previous operational issues, some e-mail and Internet satisfaction data for earlier years is unavailable.)

The survey responses reflect the statistical findings as depicted in the following graph:



Review of Divisional Operations

Financial Highlights

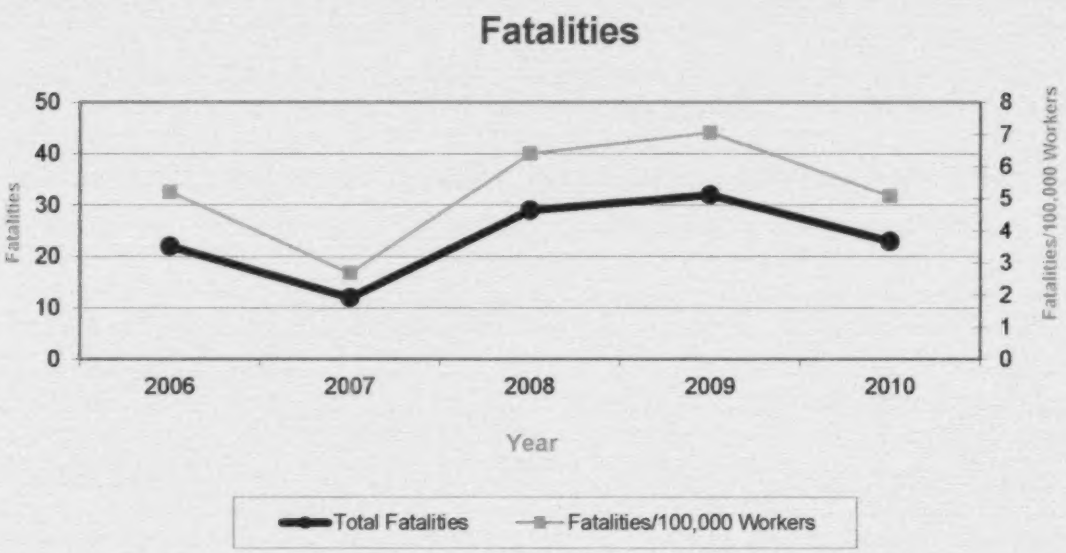


	2006/2007	2007/ 2008	2008/2009	2009/2010	2010/2011
Total Costs (actual $000)	5,361	6,381	6,727	5,971	6,981
Budget	7,357	7,732	8,299	7,974	9,041

The Division's revenue came from two major sources – a statutory transfer from the WCB and an amount from the Government's general funds. As a result of sentencing by the Court, additional monies were directed to the Minister of Labour and Advanced Education Public Education Trust Fund.

Appendix F lists major funding contributions made by the Division.

Fatality Statistics



Description	Annual Data (calendar year)					5 Year Average
	2006	2007	2008	2009	2010	
Fatalities Recorded During the Year[4]	22	12	29	32	23	24
Number of Fatalities Reported per 100,000 Employees[5]	5.21	2.68	6.4	7.06	5.08	5.29

[4] A workplace fatality is counted by the Division where all of the following are met:

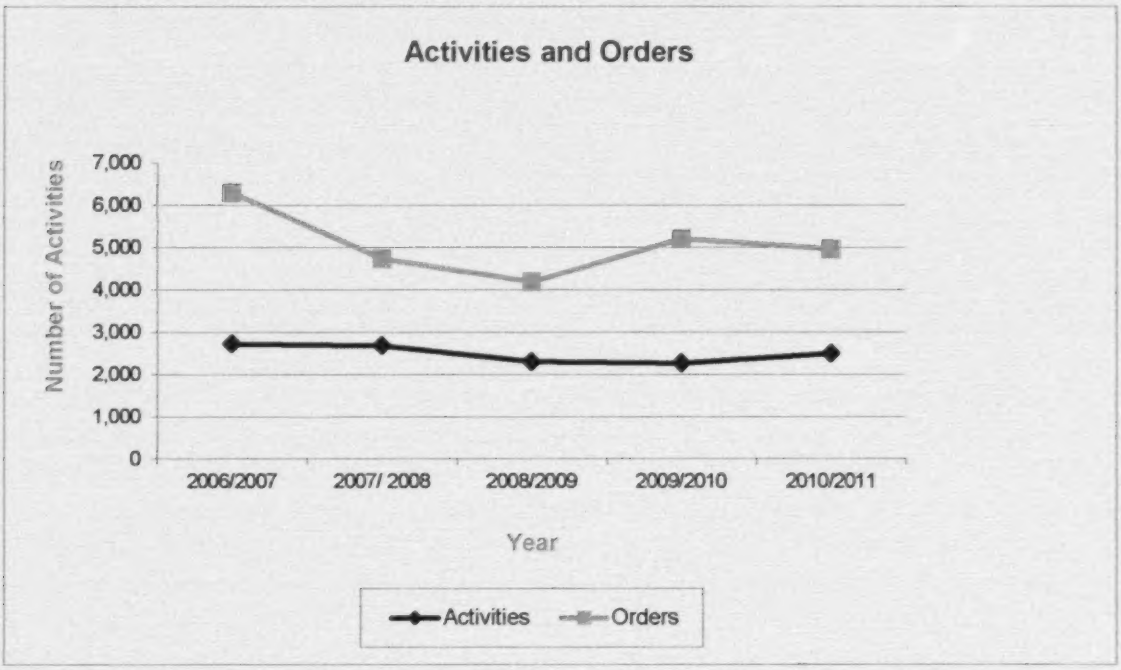
1) The injury that caused the fatality occurred at a place that meets the definition of a 'workplace'.
2) At the time of the injury that caused the fatality, the deceased was:
   a) An employee of an organization,
   b) A self-employed person, or
   c) Neither an employee nor a self-employed person but who, at the time of the fatality, was contributing to work at the workplace
3) The injury that caused the fatality occurred:
   a) Within the physical boundaries of Nova Scotia, or
   b) Occurred outside the physical boundaries of Nova Scotia and involved an employee of an organization or a self-employed person governed by the NS OHS legislation at the time of the injury that caused the fatality.

[5] Employment data from Statistics Canada

Key Divisional Activity Statistics

The below graph depicts the number of activities undertaken, as well as orders issued, by the Division. Appendix G gives more detailed statistics, including breakdowns of:

1) breakdown of activities by type;
2) breakdown of orders by law;
3) activities by Standard Industrial Classification;
4) complaint inspections by Standard Industrial Classification;
5) targeted inspections by Standard Industrial Classification;
6) orders by Standard Industrial Classification; and
7) ratio of Activities to Orders by Standard Industrial Classification.

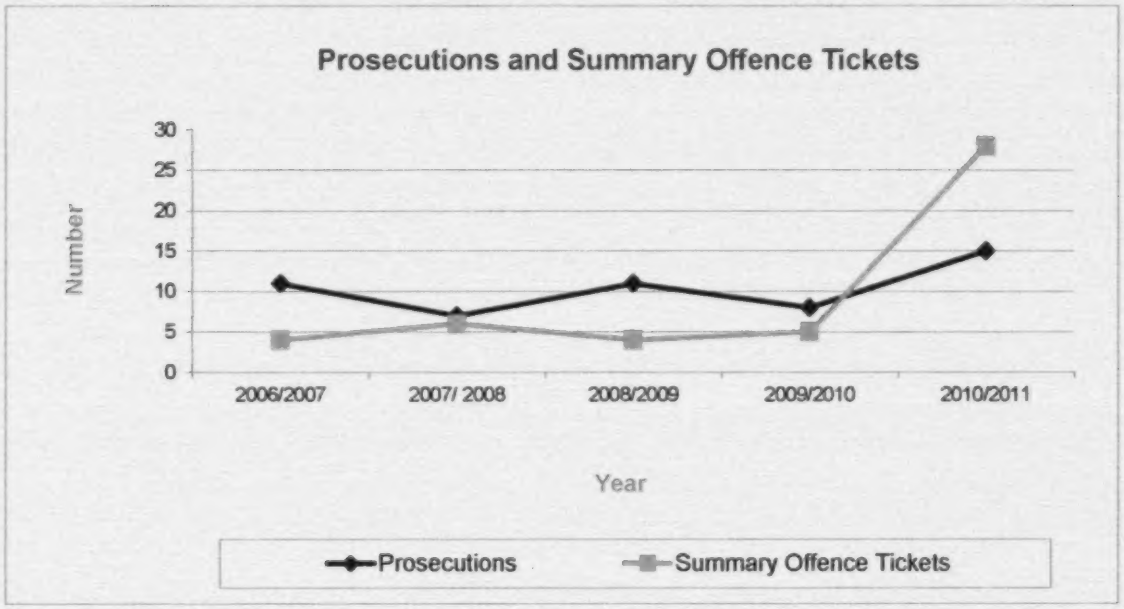


Data:

	2006/2007	2007/ 2008	2008/2009	2009/2010	2010/2011
Activities	2,719	2,678	2,297	2,259	2,489
Orders	6,296	4,732	4,189	5,204	4,961

Prosecution Activity

The below graph depicts the number of prosecution activities undertaken by the Division. Appendix G gives detailed statistics on cases decided.



Data:

	2006/ 2007	2007/ 2008	2008/ 2009	2009/ 2010	2010/ 2011
Full-Form Prosecutions Initiated*	11	7	11	8	15
Summary Offence Tickets Issued*	4	6	4	5	28

* *These statistics indicated the numbers of charges laid by Division staff, but not necessarily decided by the courts.*

Administrative Penalty Statistics

The Administrative Penalties Regulations came into effect on January 15, 2010. The table below itemizes the number of Administrative Penalties issued and Appeals filed for the Fiscal Year 2010/2011.

Region	Number of Administrative Penalties Issued	Percentage By Region/Section (Penalties Issued)	Number of Appeals
Cape Breton	133	12%	24
Central	675	58%	118
Northeast	138	12%	34
Southwest	104	9%	26
Technical Services	99	9%	24
Total	**1149**	**100%**	**226**

Penalties Issued by Class of Person and by Region

Class of Person	Cape Breton	Central	Northeast	Southwest	Technical Services	Total
Architect	0	0	0	0	0	0
Constructor	2	4	1	0	0	7
Contractor	1	13	4	5	2	25
Employee	6	21	0	2	2	31
Employer	120	614	133	97	93	1057
Owner	0	3	0	0	1	4
Professional Engineer	0	0	0	0	0	0
Provider of OHS Service	0	0	0	0	0	0
Self-employed Person	1	6	0	0	0	7
Supervisor (Employee)	3	14	0	0	1	18
Supplier	0	0	0	0	0	0
Total	**133**	**675**	**138**	**104**	**99**	**1149**

Quality Management System

The Occupational Health and Safety Division's operations are carried out in accordance with its Quality Management System (QMS). This system is reflected and supported by the policies, procedures and processes contained in the division's QMS documentation. Observance and compliance to this internal system is expected of all internal staff.

Updates to these internal processes became a key focus starting in November 2010 with the hiring of a full time Quality Manager/Project Manager. As a result, the development of a Quality Program Revitalization Plan was proposed and some fundamental aspects of the plan were rolled out, including improvements to the change management process, records management and the roll out of key internal policy and procedure updates. Many more improvements are planned for the 2011-12 fiscal year.

Under the umbrella of the Quality Management System, a significant project was initiated, the OHS Knowledge Base Project. The Knowledge Base is a new and improved online search tool which makes it easier for visitors to find and access Occupational Health and Safety information.

The features of the new site include:

- improved search capabilities;
- favourites Lists and RSS feeds to track updates;
- one-click sharing and printing content;
- updated look and feel;
- measurement of client satisfaction and user frequency; and
- improved user feedback options.

Not only will these features help our external clients and stakeholders find accurate and current information faster and easier, they will also help reduce (internal) staff workload by providing a useful and informative self-service tool for the public who might otherwise call the OHS Division and seek an answer from staff.

This feature officially went live on May 2, 2011 to coincide with NAOSH Week. To see the site, visit www.gov.ns.ca/lae/kb .

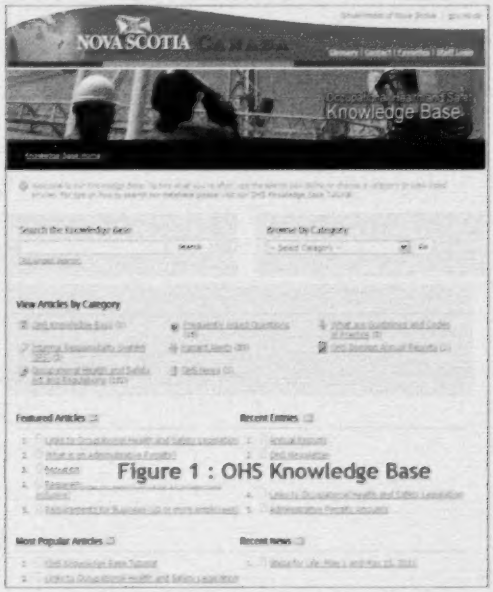
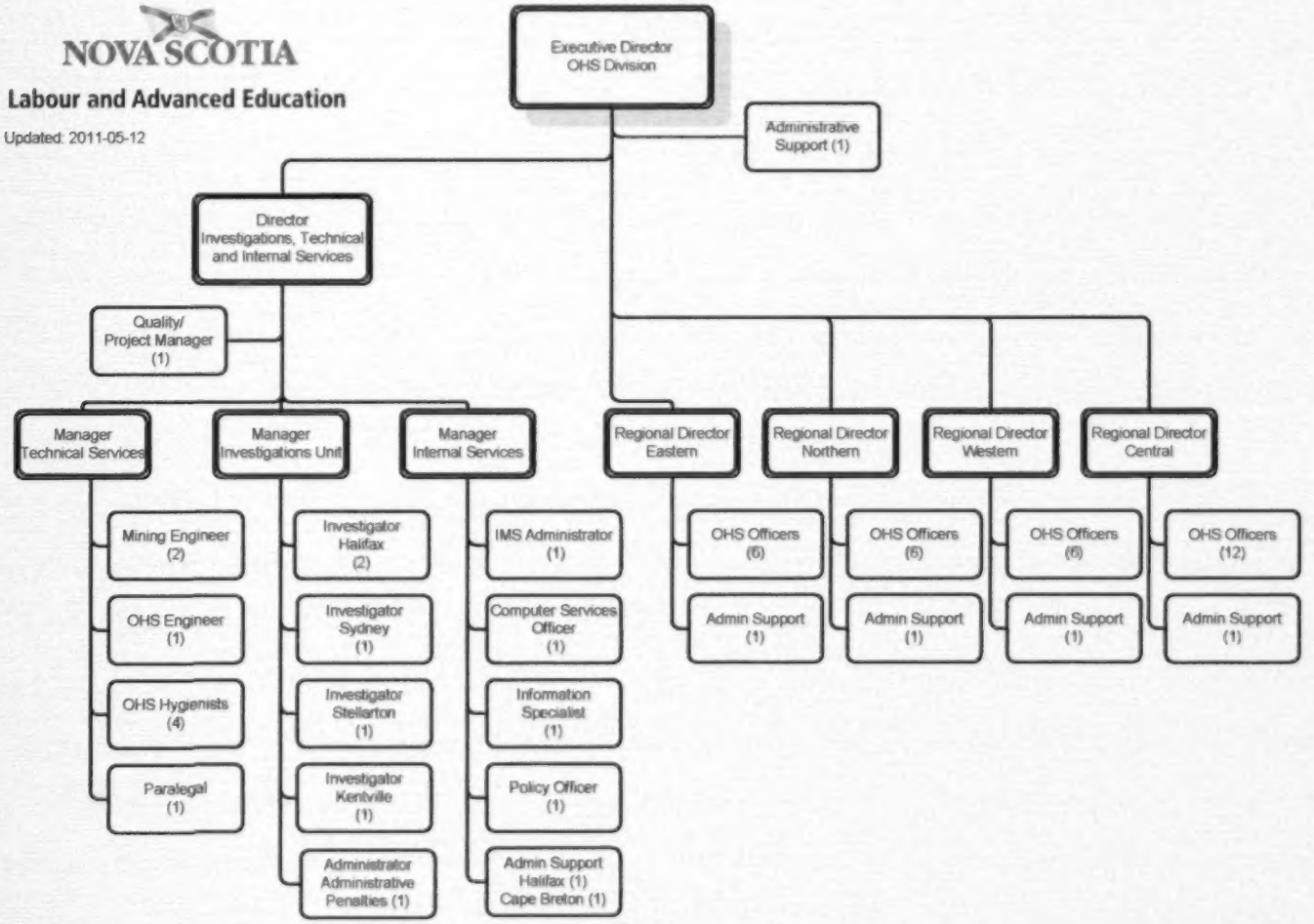


Figure 1 : OHS Knowledge Base

Appendix A - Organization Chart for the Division



Appendix B - IRS Checklist

Category	Description	%Yes				Average % Yes for Category			
		2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008
OHS Policy and Program Issues	OHS Policy Developed	78.3%	78.2%	68.1%	68.1%	83.6%	79.4%	71.3%	68.9%
	OHS Program Established	85.7%	80.6%	72.4%	72.4%				
	Procedures Established	86.6%	84.1%	71.8%	71.8%				
	Reporting Hazards Provision	86.9%	82.5%	71.2%	71.2%				
	Emergency Procedure	89.0%	80.7%	70.6%	70.6%				
	Policy & Procedures	88.2%	84.0%	71.1%	71.1%				
	Hazard ID System	82.3%	78.6%	65.8%	65.8%				
	Monitor Hazards	81.4%	77.2%	67.2%	67.2%				
	Review Policy/Procedures	73.7%	68.5%	61.6%	61.6%				
JOHSC Issues	JOHSC Composition	85.1%	87.4%	70.5%	70.5%	80.3%	77.1%	67.1%	62.2%
	Worker JOHSC Attendance	85.5%	84.1%	60.2%	60.2%				
	JOHSC Established	86.4%	88.6%	71.0%	71.0%				
	Health & Safety Representative	67.1%	55.8%	50.1%	50.1%				
	JOHSC Rules of Procedures	77.3%	69.7%	59.2%	59.2%				
Communication and Information	OHS Policy Posted	74.1%	68.3%	62.3%	62.3%	75.2%	70.5%	59.0%	58.5%
	OHS Act Posted	69.8%	62.6%	57.1%	57.1%				
	Division Number Posted	70.4%	65.8%	57.3%	57.3%				
	JOHSC Minutes Posted	77.3%	74.7%	59.3%	59.3%				
	Rights/Resp. Posted	75.4%	71.1%	56.0%	56.0%				
	Regulations Available	72.8%	68.4%	58.3%	58.3%				
	Orders Displayed	81.1%	74.6%	57.2%	57.2%				
	JOHSC Members Displayed	80.4%	78.6%	60.6%	60.6%				
Training	Training Plan Documented	85.0%	77.5%	64.1%	64.1%	80.7%	73.7%	63.4%	57.5%
	JOHSC Trained	76.4%	69.9%	50.9%	50.9%				
Records	Hazard Materials List	77.4%	69.6%	62.3%	62.3%	79.6%	75.8%	69.0%	65.6%
	JOHSC Records Maintained	82.5%	82.0%	67.4%	67.4%				
	Maintain Records & Stats.	79.0%	75.7%	67.2%	67.2%				

Appendix C - 2010/11 LAE Statement of Mandate Performance Measures

Measure: Average five-year composite duration of Workers' Compensation lost-time claim compared to the Atlantic Canada and national averages.

Definition of Measure:

- The Workers' Compensation Board compiles accident duration data and number of accident claims. Each jurisdiction submits its statistics to a national association the Association of Workers' Compensation Board of Canada (AWCBC) who publishes comparative data based on the submitted information.
- Definition: The estimated total number of calendar days compensated for short-term disability over the first five calendar years of duration/lifetime of a typical lost-time claim if current conditions are continued for the future years. Short-term disability benefits are all income benefits during the initial period after the injury, before the injury has stabilized, plateaued or consolidated.
- Calculation: The composite method is the number of days paid in the reference year for each accident year, divided by the number of lost-time claims of the corresponding accident year. Then, the results are added together for the designated number of years. All short-term disability benefits related to income loss including rehabilitation benefits are included up to the point where long-term disability benefits commence. The current year plus four prior accident years are to be used in the calculation.

a = Total number of compensable days paid for all compensable time loss claims in a given year
b = Total number of time loss claims filed in a given year

Measure (days) =(a (year)/b (year) +a (year-1)/b (year-1) +a (year-2)/b (year-2) +a (year-3)/b (year-3) +a (year-4)/b (year-4))

Target = maintain or decrease the average number of compensable days relative to the Atlantic Canada average

Rationale for Selecting Measure:

LAE works with employers and employees to promote compliance with a legislative framework that is reflective of current workplace standards. By creating safe and healthy work environments, we minimize workplace hazards and risk, which reduces the likelihood of accidents resulting in workers compensation claims. This measure provides a system measure of injury severity, based on the assumption that the longer a worker is receiving benefits, the more severe the injury.

It is important to note that claim duration may be influenced by factors other than severity of injury. Injury severity is a WCB system cost driver and is related to the effectiveness of return to work efforts and disability management. This measure tries to reflect the number of days lost from work.

Annual Data: (Calendar Year)	2006	2007	2008	2009	2010
Nova Scotia	105.0	102.0	95.0	98.0	98.0
Atlantic Canada	91.7	91.8	97.5	92.6	N/A
Canada	67.7	67.7	69.0	69.8	N/A

Description of Target, Trend, Comparison/Benchmark:
The target is calculated annually, based on the Atlantic Canada average number of compensable days. To meet the target in 2010, the five-year composite number of compensable days for all time loss claims in Nova Scotia must be equal to or less than the Atlantic Canada average.

The national average includes only those jurisdictions that report on the measure to the Association of Workers' Compensation Boards of Canada, from which this data comes.

Strategies to Achieve Target:

- Work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents.
- Work with the WCB, through WSIS, to increase OHS promotion and education.
- Continue to develop a targeted risk-based inspection system which reflects claim duration.

Other Comments:
The Division operates on a targeted inspection system which is based on industry risks, accident rates and past experiences with an employer. The targeting criteria is designed by the WCB and is intended to take officers to work sites that are problematic and have an above average record of accidents and costs.

Measure: Annual average number of new registered WCB loss time claims per hundred estimated WCB registered employees compared to the Atlantic Canada and national averages.

Definition of Measure:

- The WCB compiles statistics related to accident numbers. Each jurisdiction submits its statistics to a national association the Association of Workers' Compensation Board of Canada (AWCBC) who publishes comparative data based on the submitted information.
- Definition: Number of new lost-time claims for assessable employers per 100 workers of assessable employers.
- Calculation
  a = Total number of new lost-time claims for assessable employers.
  b = Estimated number of workers of assessable employers or self-employed workers opting for coverage.

The reliability of the injury frequency is subject to limitations of its denominator, described in the calculation of the percentage of workforce covered.

Measure (claims /100 WCB covered employees) = 100 x (a/b)
Target = maintain or decrease the number of WCB loss time claims compared with the national average

Rationale for Selecting Measure:

To measure the risk of workplace injury for workers in each jurisdiction in terms of the proportion of workers that suffered a lost-time work injury.

The average number of registered WCB loss time claims per hundred employees reflects the number of workplace accidents occurring in WCB covered work sites. The measure allows government to monitor trends.

Annual Data: (calendar year)	2006	2007	2008	2009	2010
Nova Scotia	2.8	2.6	2.5	2.2	2.1
Atlantic Canada	2.0	1.7	1.9	1.7	N/A
Canada	2.6	2.3	2.1	1.8	N/A

N/A: Specific province data not available at time of publication.

Description of Target, Trend, Comparison/Benchmark:

The target is revised annually, based on the data reported by all Canadian jurisdictions. To meet the target the number of registered WCB claims per 100 employees must be equal to or less than the national average.

In 2009 Nova Scotia continued a 4-year decline in the injury rate following the Atlantic Canada and national trends. While still declining in 2010, due to the unavailability of comparable data, no comments can be made on Nova Scotia's recent performance.

Strategies to Achieve Target:

- Work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents.
- Work with the WCB, through WSIS, to increase OHS promotion and education.
- Continue to develop a targeted risk-based inspection system which reflects claim frequency.

Other Comments:

The Division operates on a targeted inspection system which is based on industry risks, accident rates and past experiences with an employer. The targeting criteria is designed by the WCB and is intended to take officers to work sites that are problematic and have an above average record of accidents and costs.

Measure: Annual percentage of targeted inspections where an OHS order is not issued.

Definition of Measure:

- The OHS inspection system targets firms with accident experience and costs that are higher than the average for their industry sector.
- The measure is intended to identify the percentage of targeted employers who are inspected and do not receive an order as a result of that inspection, indicating that they are complying with the provisions of the occupational health and safety laws.
- = number of OHS targeted inspections in the calendar year

b = number of OHS targeted inspections for which no orders were issued

Measure (%) = 100 x (b/a) Target = increase the percentage from the base year measure

Rationale for Selecting Measure:

LAE promotes compliance with OHS laws that reflect current workplace standards. Workplace inspections provide an opportunity to ensure compliance with these laws. If an officer finds a workplace is not in compliance with the laws, an order will be issued. Tracking the total number of targeted inspections where an order is not issued helps provide a picture of compliance levels within these targeted workplaces. From this measure the department can monitor trends in compliance levels.

Data:

(Calendar year)	**2006**	**2007**	**2008**	**2009**	**2010**
Nova Scotia	33.5%	59.0%	82.5%	34.2%	20.1%

Description of Target, Trend, Comparison/Benchmark:

To meet the annual target, the percentage of inspections without orders must be greater than the base year measure of 43.5% (2001). The OHS Division's inspection activity continues to report, based on this measure, the failure of targeted workplaces to be in compliance with the regulated standards.

Strategies to Achieve Target:

- Work closely with WCB, through WSIS, to identify high accident firms, sectors and type of accidents. Work with the WCB, through WSIS, to increase OHS promotion and education.
- Continue to develop a targeted risk-based inspection system.
- Provide self-help resources to workplaces to improve compliance.

Other Comments:

The Division operates on a targeted inspection system which is based on industry risks, accident/illness rates, frequency, severity, and past experiences with an employer. The targeting process is based on WCB data and is intended to have officers focus on workplaces with a higher than industry-average claims experience.

Appendix D - Client Satisfaction Measures

Email Question Service Client Satisfaction

Question	Percent of maximum score				
	2010 / 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006 / 2007
The information answered my question.	66.7	73.3	N/A	N/A	85.3
The information was clear, concise and understandable.	72.2	73.3	N/A	N/A	85.3
The information was received within an acceptable time frame.	77.8	80.0	N/A	N/A	90.7
You are pleased with the service you received.	77.8	84.4	N/A	N/A	90.7
Average	**73.6**	**77.8**	**N/A**	**N/A**	**88.0**

Publications Mail-Out Service Client Satisfaction

Question	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Material received within an acceptable time (% Yes)	98	100	98	100	100
Correct material received (% Yes)	100	100	98	100	100
Friendliness (1-5 scale)	4.6	4.6	4.5	4.7	5.0
Laws well written (1-5 scale)	3.8	3.8	3.5	4.4	4.0
Laws interesting (1-5 scale)	3.5	3.4	3.0	3.0	3.4
Other materials well written (1-5 scale)	3.8	4.1	3.9	4.4	4.6
Other materials interesting (1-5 scale)	3.6	3.7	3.4	4.2	4.4
Overall satisfaction (1-5 scale)	4.4	4.7	4.5	4.7	5.0
% respondents self-identified as "Management"	46	77	70	N/A	60
% respondents self-identified as "JOHSC members"	56	60	51	N/A	60

1 = Worst 5 = Best

Internet Satisfaction

Question	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
1. How would you rate the site navigation?	56%	70%	N/A	73%	71%
2. How would you rate the site's visual appeal	64%	73%	N/A	75%	71%
3. How would you rate the ability to find what you want quickly?	53%	60%	N/A	66%	64%
4. How would you rate the site's search abilities?	56%	53%	N/A	50%	67%
5. How would you rate the site's overall usefulness?	71%	80%	N/A	75%	77%

Inspection Satisfaction

Question	Percentage Satisfaction		
	2010/ 2011	2009/ 2010	2008/ 2009 (Jan - Mar)
Explained the inspection process	98.4	98.0	98.0
Explained Act and regulations	96.9	98.0	96.0
Satisfactorily answered my questions	95.7	90.7	95.4
Encouraged me to give input and feedback	93.6	94.6	89.7
Inspection report was understandable	96.1	97.9	91.7
Officer was professional throughout the inspection	97.7	97.5	100.0
Inspection overall helped to improve health and safety	97.6	93.3	100.0
Order was clear as to what was needed to comply	97.2	97.5	90.3
Order allowed proper length of time to comply	95.2	96.1	90.3
Average	**96.5**	**96.0**	**94.6**

Improve Response to Client Requests for Service

In addition to surveys, the Division monitors the time required to respond to a complaint or an incident as a measure of client satisfaction. This parameter is measured through the length of time before the initial investigation of a complaint or incident by an OHS officer. The length of time before the initial investigation of complaints or incidents by an OHS officer is as follows:

Categories	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Number of complaints/incidents received.	1302	929	912	1313	1370
Average number of days between receipt of complaint/incident and start of inspection/investigation (if one is conducted).	7.9	8.1	8.5	14.8	7.9
Number of complaints/incidents for which no follow-up inspection was performed. *	30**	31	234	381	272

* While it is standard procedure for the Division to follow-up on all complaints and incidents, there are some for which this is not appropriate or possible. Such complaints and incidents that may not receive a direct response or a site visit include:

1. operation that was the subject of the complaint or incident is transient and was no longer in existence by the time an officer could investigate;
2. complainant gives incorrect information which does not allow the operation that was the subject of the complaint or incident to be identified; and
3. the operation that was the subject of the complaint or incident or the matter complained of is within the jurisdiction of:
   a. the federal government,
   b. the Labour Standards Division, and
   c. other government agencies.

In such cases, the complaint or incident is referred to the appropriate agency for follow-up.

** This reflects that all complaints/incidents are entered into our Activity Tracking System (ATS) as an Inspection or Investigation. Some complaints are completed in office (i.e., by the Information Specialist) with no need for an officer to respond.

Appendix E - Public Education Trust Fund

On behalf of the Minister of Labour and Advanced Education, the Division administers the OHS Public Education Trust Fund as authorized by Order in Council 2010-351. The fund is managed by the Department of Finance.

Typically, when offenders are charged by Division staff for violating OHS legislation, and subsequently convicted by the courts, a portion of the fine is directed by the court to the Minister's Public Education Trust Fund. In turn, the Division directs all monies received for the purpose of public education and promotion related to occupational health and safety, as provided in sub-section 75(1)(b) of the Occupational Health and Safety Act to a designated cost centre utilized only for the aforementioned purpose.

The Trustees of the Fund are the Deputy Minister of the Department of Labour and Advanced Education, the Director of the Occupational Health and Safety Division of the Department of Labour and Advanced Education, and the Provincial Director, Investigations, Technical and Internal Services, Occupational Health and Safety Division of the Department of Labour and Advanced Education.

The Trustees are permitted to authorize disbursements to be made from the Trust Fund having considered the purpose of the funding request and determined that the use of monies is compatible with the purpose of the Trust Fund. The Department of Finance will make disbursements from the Fund upon the authorization of any two Trustees. Fund disbursements can only be made for the following purposes:

1. advertising pursuant to sub-section 75(1) of the Occupational Health and Safety Act;
2. a specific purpose as directed by any court order issued that identifies how the funds are to be spent;
3. support for 'not for profit' organizations which have as part of their mandate public education and promotion related to occupational health and safety; and
4. support for organizations providing public educational services related to occupational health and safety.

The Trust Fund is administered to maximize the potential benefit from the monies that have been credited to the account. Any requests for money must be made by proposal to be submitted and reviewed by the Trustees. Proposals submitted are considered on their merit, considering the purpose for which the Fund was established, and in the chronological order that they are received.

Any request by an organization, other than the Occupational Health and Safety Division, must make provision for monies, or in kind contribution, at least equivalent to any amount requested. The Trustees of the Fund may authorize disbursements to the Occupational Health and Safety Division from the fund without a proposal and without limits. Any proposal that is granted funding from the Fund and accepted by the proponent must recognize the contribution from the Fund in any material produced or distributed. On completion of any work that is funded in part through the Fund, a report of the work must be submitted to the Occupational Health and Safety Division.

Those receiving funds from the Fund must maintain a separate account which may be subject to audit by the Occupational Health and Safety Division. Persons or organizations seeking a grant from the Trust Fund may submit a written proposal to the OHS Division for review by the Trustees.

Disbursements from the Fund are noted in the OHS Division's Annual Report *(as shown at Appendix F).*

Appendix F - Major Funding Contributions

Canadian Centre for Occupational Health and Safety

Canadian Centre for Occupational Health and Safety (CCOHS) is a Canadian federal government agency based in Hamilton, Ontario. It supports the vision of eliminating all Canadian work-related illnesses and injuries. Similar to past years, the Division contributed with other Canadian jurisdictions on a per capita basis to maintain the free Inquiry Service operated by the CCOHS. The amount (discretionary grant) provided by the Division was $24,000.

Canadian Standards Association

Canadian Standards Association (CSA) is a not-for-profit membership-based association serving business, industry, government and consumers in Canada and the global marketplace. As in past years, the Division contributed with other Canadian jurisdictions on a per capita basis to develop, and provide free online *(read only)* access to, a series of occupational health and safety-related standards. The amount (discretionary grant) provided by the Division was $1480.04.

Safety Services Nova Scotia

Safety Services Nova Scotia (SSNS) *(formerly called the Nova Scotia Safety Council)* was founded in 1958, under the name "The Nova Scotia Highway Safety Council", as a private, non-profit, non-government organization, its mission is to make safety and health a way of life and to be the centre of excellence for safety and health. Similar to past years, the Division contributed base funding in the amount of $25,000 to allow SSNS to present its annual conference.

Day of Mourning

The National Day of Mourning recognizes each April 28 as a day of reflection for people who have been injured or died at work. The Province hosted the annual ceremony and reception at Province House.

North America Occupational Safety and Health Week

North American Occupational Safety and Health (NAOSH) Week is an annual event to draw attention to workplace health and safety. This year, the OHS Division provided a discretionary grant in the amount of $3000 to help support events planned throughout the province.

Canadian Society of Safety Engineers

The Division provided a discretionary grant in the amount of $1500 to the CSSE in support of North American Occupational Safety and Health (NAOSH) Week luncheon.

Threads of Life

Threads of Life received funding support from the Minister of Labour and Advanced Education OHS Public Education Trust Fund in the amount of $25,000, and an additional $3000 in discretionary grants. Threads of Life is a national registered Canadian charity dedicated to supporting families along their journey of healing who have suffered from a workplace fatality, life-altering illness or occupational disease.

Nova Scotia Public Libraries

The Nova Scotia Public Libraries are provided (free) copies of the ACGIH TLV booklets purchased by the OHS Division.

Nova Scotia Farm Health and Safety Committee

The NSW Farm Health and Safety Committee received funding support from the Minister of Labour and Advanced Education OHS Public Education Trust Fund in the amount of $10,000. The funds were used by the committee to initiate a media campaign focusing on health and safety in the farming community.

Appendix G - Key Divisional Activity Statistics

Tracked Activity	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Division Field Activities					
Inspections Coded Under Old System[6]					
General Inspections	-	-	-	-	697
Targeted Inspections	-	-	-	-	363
Joint Inspections	-	-	-	-	2
Re-Inspections	-	-	-	-	348
Inspections Coded Under New Activity Tracking System					
Ad Hoc Inspections	597	398	356	879	-
Client Request	32	41	55	1	-
External Request	6	7	7	14	-
Internal Request	10	11	2	2	-
Re-Inspections	119	96	97	143	-
Targeted Inspections	419	395	282	266	-
Complaints Investigated	969	929	912	931	958
Incidents Investigated	276	282	200	370	284
Work Refusals Investigated	14	34	265	16	13
Discriminatory Action Complaints	47	34	92	44	44
Total Field Activities	**2,489**	**2,259**	**2,297**	**2,678**	**2,719**
Field Staff Full-time Equivalents Available	24	25	25	31	29.8
Field Activities per Officer	**104**	**90**	**92**	**86**	**91**
Appeals					
Appeals of Officer Decisions	32	22	9	11	19
Appeals of Director Decisions	9	7	6	8	7
Total Appeals	**41**	**29**	**15**	**19**	**26**
Prosecutions and SOTs					
Full-Form Prosecutions Initiated	15	8	11	13	11
Summary Offence Tickets Issued	28	5	4	5	4
Total Prosecutions and SOTs	**43**	**13**	**15**	**18**	**15**

[6] The categories of Inspections changed with the introduction of the new Activity Tracking System (ATS)

Orders Issued

Category	Number of Orders Issued				
	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Orders Issued Under the Acts					
Stop Work Orders	110	97	68	95	108
Deviations Granted	45	31	44	38	39
Codes of Practice Required Under Act	15	16	19	66	30
Total OHS Act Orders (including the 3 categories listed above)	**1,693**	**1,479**	**1,183**	**1,349**	**1,876**
Orders Issued Under the Regulations					
Blasting Safety Regulations	17	25	10	-	-
Fall Protection & Scaffolding Regulations	388	415	446	672	358
First Aid Regulations	439	492	439	586	775
General Blasting Regulations[7]	N/A	N/A	N/A	N/A	12
Occupational Diving Regulations	14	0	0	0	0
Occupational Health Regulations	29	21	16	23	9
Occupational Safety General Regulations	1728	1,922	1,491	1,648	2,603
Temporary Workplace Traffic Control Regs.	27	57	32	36	83
Underground Mining Regulations	8	1	45	7	9
Violence in the Workplace Regulations	227	348	229	104	-
WHMIS Regulations	380	438	288	286	542
Orders Issued Under Other Acts the Division Enforces					
Smoke-free Places Act	11	6	10	19	29
Smoke-free Places Regulations	0	0	0	2	0
TOTAL	**4,961**	**5,204**	**4,189**	**4,732**	**6,296**

[7] Regulations were repealed.

Distribution of Administrative Penalties by Industry (%)

Industry	SIC Range	2010/ 2011	2009/ 2010 [8]
Accommodation, Food, and Beverage	9000-9599	6	4
Agricultural and Related Services	0000-0299	2	6
Business Services	7700-7999	1	0
Communications	4800-4999	0	0
Construction	4000-4499	33	43
Education Services	8500-8599	1	0
Finance and Insurance	7000-7499	0	0
Fishing and Trapping	0300-0399	2	0
Government Services	8000-8499	2	1
Health and Social Services	8600-8999	3	8
Logging and Forestry	0400-0599	1	0
Manufacturing	1000-3999	9	6
Mining, Quarrying, and Oil	0600-0999	5	7
Other Services	9600-9999	12	0
Real Estate / Insurance	7500-7699	0	0
Retail Trade	6000-6999	19	21
Transportation and Storage Industries	4500-4799	1	4
Wholesale Trade	5000-5999	3	0

Distribution of Divisional Activities by Industry (%)

Industry	SIC Range	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Accommodation, Food, and Beverage	9000-9599	4.0	4.2	5.7	2.8	5.4
Agricultural and Related Services	0000-0299	1.6	0.2	0.3	1.2	1.9
Business Services	7700-7999	0.9	0.8	1.5	1.4	3.0
Communications	4800-4999	2.1	2.0	1.8	2.8	0.9
Construction	4000-4499	36.1	35.9	34.2	33.3	30.1
Education Services	8500-8599	0.2	0.4	0.0	0.4	0.6
Finance and Insurance	7000-7499	0.1	0.0	0.0	0.1	0.4
Fishing and Trapping	0300-0399	0.9	0.3	0.2	0.3	1.2
Government Services	8000-8499	2.9	3.2	4.8	3.2	6.3
Health and Social Services	8600-8999	5.9	11.4	6.6	4.8	5.6
Logging and Forestry	0400-0599	0.5	0.6	0.4	0.8	1.2
Manufacturing	1000-3999	15.2	14.8	17.0	13.0	16.1
Mining, Quarrying, and Oil	0600-0999	1.6	3.7	4.8	4.4	2.7
Other Services	9600-9999	3.0	3.1	3.1	3.9	3.8
Real Estate / Insurance	7500-7699	1.2	1.2	1.3	1.4	0.7
Retail Trade	6000-6999	14.6	10.8	12.1	19.0	13.3
Transportation and Storage Industries	4500-4799	1.7	1.6	1.1	1.9	1.7
Wholesale Trade	5000-5999	7.5	5.6	5.1	5.3	4.9

[8] Administrative Penalties Regulations came into effect on January 15, 2010

Distribution of Complaint Inspections by Industry Type (%)

Industry	SIC Range	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Accommodation, Food, and Beverage	9000-9599	3.9	4.9	8.6	0.0	3.5
Agricultural and Related Services	0000-0299	1.1	0.0	0.4	0.7	1.5
Business Services	7700-7999	1.4	2.0	2.5	3.2	4.9
Communications	4800-4999	2.5	2.5	2.5	3.2	0.9
Construction	4000-4499	41.7	38.7	36.7	39.6	37.2
Education Services	8500-8599	0.0	0.5	0.0	0.0	0.8
Finance and Insurance	7000-7499	0.2	0.0	0.0	0.2	0.7
Fishing and Trapping	0300-0399	0.9	0.0	1.6	0.7	0.7
Government Services	8000-8499	3.1	3.4	3.3	7.2	7.9
Health and Social Services	8600-8999	5.0	8.8	2.9	4.7	4.2
Logging and Forestry	0400-0599	0.6	1.5	0.8	1.1	1.0
Manufacturing	1000-3999	13.5	12.3	18.4	18.9	14.4
Mining, Quarrying, and Oil	0600-0999	0.5	0.5	2.5	1.8	1.9
Other Services	9600-9999	3.9	4.4	4.5	0.0	5.6
Real Estate / Insurance	7500-7699	1.6	2.9	0.8	1.6	1.5
Retail Trade	6000-6999	11.9	8.8	8.6	8.1	6.4
Transportation and Storage Industries	4500-4799	2.2	3.4	1.6	2.0	1.8
Wholesale Trade	5000-5999	6.0	5.4	4.5	7.0	4.5

Distribution of Targeted Inspections by Industry (%)

Industry	SIC Range	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Accommodation, Food, and Beverage	9000-9599	6.0	7.0	6.4	8.6	12.3
Agricultural and Related Services	0000-0299	3.2	0.5	1.7	0.8	1.0
Business Services	7700-7999	0.0	0.5	0.6	0.0	1.6
Communications	4800-4999	1.3	1.9	0.0	3.1	0.8
Construction	4000-4499	13.9	13.1	12.7	7.0	9.9
Education Services	8500-8599	0.0	0.0	0.0	0.0	0.3
Finance and Insurance	7000-7499	0.0	0.0	0.0	0.0	0.3
Fishing and Trapping	0300-0399	0.3	0.0	0.0	1.6	2.1
Government Services	8000-8499	2.2	0.0	3.5	3.9	4.2
Health and Social Services	8600-8999	13.0	30.4	17.3	10.2	13.8
Logging and Forestry	0400-0599	0.3	0.0	0.0	3.1	2.3
Manufacturing	1000-3999	19.0	15.4	24.3	4.7	19.8
Mining, Quarrying, and Oil	0600-0999	0.6	1.9	0.0	2.3	1.3
Other Services	9600-9999	3.5	0.9	2.3	2.3	3.1
Real Estate / Insurance	7500-7699	2.2	0.5	1.7	3.1	0.8
Retail Trade	6000-6999	23.1	20.6	22.5	41.4	18.0
Transportation and Storage Industries	4500-4799	1.9	0.0	0.0	0.8	3.4
Wholesale Trade	5000-5999	9.5	7.5	6.9	7.0	4.4

Distribution of Orders by Industry (%)

Industry	SIC Range	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Accommodation, Food, and Beverage	9000-9599	6.2	6.9	10.6	4.6	5.5
Agricultural and Related Services	0000-0299	1.4	0.7	1.3	0.5	1.0
Business Services	7700-7999	1.1	0.5	1.7	0.6	1.7
Communications	4800-4999	1.7	1.6	2.0	3.7	0.7
Construction	4000-4499	24.5	22.9	27.1	31.4	18.8
Education Services	8500-8599	0.1	0.1	0.0	0.0	0.5
Finance and Insurance	7000-7499	0.0	0.0	0.0	0.0	0.4
Fishing and Trapping	0300-0399	1.5	0.1	0.3	0.0	0.5
Government Services	8000-8499	3.2	2.1	2.9	3.2	2.5
Health and Social Services	8600-8999	2.8	5.9	1.2	2.9	3.3
Logging and Forestry	0400-0599	0.4	0.0	1.2	0.5	0.7
Manufacturing	1000-3999	17.2	15.6	17.8	12.3	16.5
Mining, Quarrying, and Oil	0600-0999	4.2	4.5	5.9	1.0	2.7
Other Services	9600-9999	3.1	4.0	3.6	4.8	3.1
Real Estate / Insurance	7500-7699	0.4	0.9	0.5	1.1	0.5
Retail Trade	6000-6999	20.6	26.3	13.6	24.1	19.2
Transportation and Storage Industries	4500-4799	1.7	1.1	0.2	1.3	1.0
Wholesale Trade	5000-5999	9.9	6.8	10.2	8.1	7.3

Ratio of Orders to Activities by Industry

Industry	SIC Range	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Accommodation, Food, and Beverage	9000-9599	1.5	1.6	1.9	1.7	1.0
Agricultural and Related Services	0000-0299	0.9	3.5	4.3	0.4	0.5
Business Services	7700-7999	1.1	0.6	1.1	0.4	0.6
Communications	4800-4999	0.8	0.8	1.1	1.3	0.8
Construction	4000-4499	0.7	0.6	0.8	0.9	0.6
Education Services	8500-8599	0.7	0.0	0.0	0.0	0.8
Finance and Insurance	7000-7499	0.0	0.0	0.0	0.0	1.0
Fishing and Trapping	0300-0399	1.6	0.3	1.5	0.0	0.4
Government Services	8000-8499	1.1	0.7	0.6	1.0	0.4
Health and Social Services	8600-8999	0.5	0.5	0.2	0.6	0.6
Logging and Forestry	0400-0599	0.7	0.0	3.0	0.7	0.6
Manufacturing	1000-3999	1.1	1.1	1.0	0.9	1.0
Mining, Quarrying, and Oil	0600-0999	2.5	1.2	1.2	0.2	1.0
Other Services	9600-9999	1.0	1.3	1.2	1.2	0.8
Real Estate / Insurance	7500-7699	0.3	0.8	0.4	0.8	0.7
Retail Trade	6000-6999	1.4	2.4	1.1	1.3	1.4
Transportation and Storage Industries	4500-4799	1.0	0.7	0.2	0.7	0.6
Wholesale Trade	5000-5999	1.3	1.2	2.0	1.5	1.5

Appendix H - Prosecution Activity

Prosecution Breakdown

Categories	Charges Decided				
	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
Full-Form Prosecutions Decided	14	5	14	10	10
Full-Form Charges Decided					
Guilty[9]	18	10	14	12	8
Not Guilty	0	1	3	0	0
Dismissed	10	2 [10]	4	0	0
Withdrawn	15	12	19	31	28
Stayed	0	0	5	0	0
Quashed	0	0	0	0	7
Total	**43**	**25**	**45**	**43**	**43**
Summary Offense Tickets (SOT) Decided [11]	12	6	9	5	7
Guilty	10	3	9	5	6
Withdrawn	2	3	0	0	1

[9] Formula for calculating prosecution success rate = Guilty Verdicts / (Total Guilty + Not Guilty Verdicts).
[10] Two "Dismissed" charges were done in error by the Crown following a plea arrangement with the defense council. Two accused persons agreed to donate $4500 each to the Threads of Life; the Crown omitted to advise the court that the donations represented an agreed upon fine with corresponding convictions
[11] Summary Offence Tickets that go to trial are still counted as Summary Offence Tickets (not in the Full-Form Prosecution category)

Case by Case results (Full-Form Prosecutions - Guilty Only)

Accused	Offense	Charges Decided in FY 2009-2010	Total Penalty
Southeast Drywall Ltd.	Fail to take every precaution that is reasonable in the circumstances to ensure that employees and particularly the supervisors and foremen, are made familiar with any health and safety hazards.	OHSA 13(1)(d).	$12,600
Divco Canada Limited	Fail to take every precaution that is reasonable in the circumstances to ensure that employees and particularly the supervisors and foremen, are made familiar with any health and safety hazards.	OHSA 13(1)(d)	$18,750
Atlantic Concrete Sawing Ltd (Island view contracting)	Fail to take every precaution that is reasonable in the circumstances to provide its employees such information, instruction, training, supervision and facilities as are necessary to the health and safety of the said employee.	OHSA 13(1)(c).	$10,000
Richard Ellis operating as Ellis Chevrolet Limited	Fail to comply with an order or direction by an officer.	OHSA 74 (1)(b) - five counts	$5,000
Aaron Cole (A.J. Cole)	Knowingly refuse to furnish information required by an officer. Failed to ensure that an energized power line or power line equipment is insulated or guarded.	OHSA S. 57 (2) & OHSA S. 57 (3), OHSA S. 126 (5).	$1,945
Avon Valley Greenhouses Ltd.	Failed to take every precaution... to provide such information, instruction, training, supervision and facilities. Failed to ensure where a person may come in contact with a moving part of a machine or tool that may present a hazard to a person, that an adequate safeguard had been installed.	OHSA 13(1)(c), OSGR 87(2).	$16,800

Case by Case results (Full-Form Prosecutions - Guilty Only) - Continued

Accused	Offense	Charges Decided in FY 2009-2010	Total Penalty
Lewis Mouldings and Wood Specialties	Fail to send written notice to the Director, of a fire or accident. Fail to ensure a machine that may be a hazard to the health or safety of a person...	OHSA, 63 (1)(A), OSGR, 84 (1).	$8,500
O'Regan Chevrolet Cadillac	Fail to take every precaution reasonable in the circumstances to ensure the health and safety of persons at or near the workplace.	OHSA 13(1)(a)	$35,000
Town of Canso	Fail as an employer to provide fall protection where a person is exposed to the hazard of falling...	FPSR 7[1]	$8,250
G & Y Carpentry Inc.	Fail to ensure that persons at the workplace are protected from a hazard of falling from a work area.	FPSR 7(1), OHSA 13(2)(d), OHSA 74(1)(a).	$30,000

Guilty Summary Offence Ticket Verdicts

Accused	Charges Decided in 2009-2010	Total Penalty [12]
ADELAIDE RESPITE INNS LIMITED	OHSA 74(1)(b)(i)	$807
Gourmet Cash and Carry Inc.	OHSA 74(1)(b)(i) - 2 SOTs	$1,641
Tesla Exploration Partnership operating as Conquest Seismic Services	OHSA 56(1) - 2 SOTs, OHSA 74(1)(b)(i) - 2 SOTs.	$2,541
Crown Roofing Specialists	OHSA 56(1) - 2 SOTs	$1,381

[12] Summary Offence Tickets that go to trial may have the (monetary) penalty amount varied by the Judge.

Appendix I - Other Items Included as Information

Public Information

As part of it's mission *"To establish, promote and enforce clear standards to reduce occupational injury and illness"*, the Division maintains a strong effort to continuously promote and increase client awareness of OHS in general, as well as OHS laws specifically. This effort includes:

- Support for other major events such as:
  - North American Occupational Safety and Health Week (NAOSH)
  - Safety Services Nova Scotia Annual Conference (for which the Division was a Platinum sponsor in 2009)
  - National Day of Mourning and Davis Day
- An inquiry/question answering-service accessible either through a toll-free call or the Internet.
- A frequently-visited Internet site.
- Alone or in concert with our partners, free courses on OHS laws and other topics.
- Participation on a wide range of stakeholder committees.
- Contributing to the funding for the Inquiry Service of the Canadian Centre for Occupational Health and Safety (CCOHS).
- Special initiatives, such as the workshops on workplace violence and the IRS and province-wide seminars on workplace violence.

Categories	2010/ 2011	2009/ 2010	2008/ 2009	2007/ 2008	2006/ 2007
# Toll-Free Calls Received	2205	2084	2472	4393	2928
# Inquiries Received					
English	1474	1462	1480	646	462
French	4	1	**	**	**
Spanish	0	0	**	**	**
Broadcast Emails Sent	5	5	6	*	*
Average Recipients per Email	450	551	426	*	*

* Broadcast e-mail service did not exist.

** Other language options were not available.